

THE NATIONAL ARCHIVES FEDERAL REGISTER OF THE UNITED STATES

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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

MISCELLANEOUS AMENDMENTS

1. Effective upon publication in the FEDERAL REGISTER, § 6.107 (b) is amended to read as follows:

§ 6.107 *Department of the Air Force.*

(b) *Office of the Inspector General.* (1) Until December 31, 1952, in order to provide civilian personnel complementary to military personnel, 10 Special Agent positions in the Office of Special Investigations, Office of the Inspector General, Headquarters, and 85 Special Agent positions in District offices of the Office of Special Investigations, United States Air Force, in grades GS-11 or higher.

2. Effective upon publication in the FEDERAL REGISTER, paragraph (i) is added to § 6.123 as follows:

§ 6.123 *Federal Security Agency.*

(i) *Office of Education.* (1) One private secretary or confidential assistant to the Commissioner of Education.

(R. S. 1753, sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633; E. O. 9830, Feb. 24, 1947, 12 F. R. 1259; 3 CFR, 1947 Supp.; E. O. 9973, June 28, 1948, 13 F. R. 3600; 3 CFR, 1948 Supp.)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] ROBERT RAMSPECK,
Chairman.

[F. R. Doc. 51-14421; Filed, Dec. 4, 1951; 8:51 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs., Amdt. 61-5]

PART 61—SCHEDULED AIR CARRIER RULES

OVER-THE-TOP IFR OPERATIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 27th day of November 1951.

At the present time, § 61.261 of the Civil Air Regulations authorizes the Administrator of Civil Aeronautics to permit or require different minimum flight altitudes than those otherwise prescribed in the regulations. The Board is of the opinion that this authority presently empowers the Administrator to provide different minimum altitudes for over-the-top operations, but realizes that there is sufficient ambiguity to justify clarification. In any event, such authority has never been exercised.

The Administrator has requested that the regulations be clarified concerning his authority to permit over-the-top operations by day at altitudes prescribed by him in accordance with § 61.261. With respect to over-the-top operations at night, he has also expressed a desire to be relieved of any authority to establish minimum altitudes other than those required for regular IFR operations.

Aircraft are presently required by § 61.271 to maintain the pertinent minimum altitude for initial approach until arrival over the range station has been proved. For some years now, it has been standard practice at several stations to allow or even require an instrument approach using a radio facility such as a fan marker as a definite fix rather than the range station itself. Therefore, this section is being amended to conform to present practice as well as to clarify over-the-top operations authority.

Since this amendment is minor in nature and imposes no additional burden on any person, notice and public procedure hereon are unnecessary, and the amendment may be made effective without prior notice.

In consideration of the foregoing the Civil Aeronautics Board hereby amends Part 61 of the Civil Air Regulations (14 CFR Part 61, as amended) effective immediately:

1. By amending the first paragraph of § 61.261 to read as follows:

§ 61.261 *Flight altitude rules.* Except during take-off and landing, the flight altitude rules prescribed in paragraphs (a) and (b) of this section, in addition to the applicable provisions of § 60.17 of this chapter, shall govern air carrier operations: *Provided*, That other alti-

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tudes may be established by the Administrator for any route or portion thereof where he finds, after considering the character of the terrain being traversed, the quality and quantity of meteorological service, the navigational facilities available, and other flight conditions, that the safe conduct of flight permits or requires such other altitudes: *And provided further*, That where the Administrator has established minimum over-the-top altitudes for any route or portion thereof lower than the minimum en route IFR altitudes, operations at such altitudes shall be conducted only by day, in accordance with such weather minimums as the Administrator may prescribe for over-the-top operations in the Flight Information Manual, and in accordance with IFR procedures appropriate to the route and the facilities for instrument approach intended to be used.

2. By amending § 61.271 to read as follows:

§ 61.271. *Altitude maintenance on initial approach.* When making an initial approach to a radio navigational facility under IFR (including over-the-top), an aircraft in scheduled air carrier operation shall not descend below the pertinent minimum altitude for initial approach specified by the Administrator for such facility until arrival over the radio facility has been definitely proved by the method outlined in the appropriate instrument approach procedures of the air carrier operating certificate.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007 as amended, 1010; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 51-14422; Filed, Dec. 4, 1951; 8:51 a. m.]

TITLE 8—ALIENS AND NATIONALITY

Chapter I—Immigration and Naturalization Service, Department of Justice

DECENTRALIZATION OF FUNCTIONS

Correction

In F. R. Doc. 51-13099, appearing at page 11058 of the issue for Wednesday, October 31, 1951, the following change should be made:

In § 125.16 (c) the phrase "that is possesses" should be "that it possesses," so that § 125.16 (c) will read: "(c) that it possesses the necessary facilities and is otherwise qualified for the instruction of immigrant students in recognized courses;"

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 56, Supplementary Regulation 2]

CPR 56—CEILING PRICES FOR CERTAIN PROCESSED FRUITS AND BERRIES OF THE 1951 PACK

SR 2—ADJUSTABLE PRICING FOR CERTAIN PROCESSED APPLE PRODUCTS

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization General Order No. 2 (16 F. R. 738), this Supplementary Regulation 2 to Ceiling Price Regulation 56 is hereby issued.

STATEMENT OF CONSIDERATIONS

Eastern processors of apples have represented to the Office of Price Stabilization that ceiling prices for canned and bottled apple juice, canned applesauce and canned apples established under Ceiling Price Regulation 56 are causing the industry substantial hardship. It has been indicated by the canning industry that price relationships between different apple products are distorted; that the method of figuring raw material adjustments under CPR 56 works a hardship on the industry due to the long processing season and that processing of these apple products may have to be curtailed sharply if some relief is not granted.

The industry has submitted information and further data are being secured by the Office of Price Stabilization concerning the price relationships between different apple products. A study is also being made of possible means of providing a suitable method of figuring raw material adjustments for these apple products which are processed over a period of several months. To avoid possible shut-downs in apple processing plants, this supplementary regulation is issued to provide a temporary pricing method pending further study by the Office of Price Stabilization of the data being secured.

This supplementary regulation permits processors of the apple products to

sell and deliver at any price agreed upon in writing with the buyer providing the processor also agrees in the written contract that the final sales price shall be either the contract price or the subsequently fixed ceiling price, whichever is lower. The processor must also agree in writing to refund to the buyer the difference between the amount paid and the subsequent ceiling price if the subsequent ceiling price is lower.

The pricing methods of the supplementary regulation are elective and any processor may continue to sell at or below his present ceiling prices under CPR 56 without resorting to this supplementary regulation. The supplementary regulation is subject to automatic revocation as to each product upon any amendment to CPR 56, or any supplementary regulation, which may be issued with respect to the particular apple product. It is expected that positive action will be taken by the Office of Price Stabilization with respect to these apple products within the next few weeks.

The Director of Price Stabilization has consulted with members of the industry which will be affected by this supplementary regulation and has given consideration to their recommendations. In the judgment of the Director, the provisions of this supplementary regulation are generally fair and equitable and are necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Sec.

1. Coverage of this supplementary regulation.
2. Adjustable pricing.
3. Sales under Ceiling Price Regulation 56.
4. Automatic revocation.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended, 50 U. S. C. App. Supp. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Coverage of this supplementary regulation. This supplementary regulation applies to sales by processors of canned and bottled apple juice (excluding cider), canned apple sauce and canned apples which are covered by Ceiling Price Regulation 56.

SEC. 2. Adjustable pricing. A processor of the products listed in section 1 of this supplementary regulation may offer to sell, or sell and deliver, and may receive payment for sales and deliveries of items of such products at any contract price agreed upon in writing between the processor and his buyer. However, the processor shall further agree in writing with his buyer that the final price for any sale or delivery of an item under this supplementary regulation shall be the contract price or the ceiling price first effective after the revocation of this supplementary regulation for the item under any applicable ceiling price regulation, or supplementary regulation thereto, establishing ceiling prices for the 1951 pack of such item, whichever is the lower. The processor shall further agree in writing with his buyer to refund promptly to the buyer the difference between the contract price

for the item and any lower ceiling price for the item for which payment has been received by the processor.

SEC. 3. Sales under Ceiling Price Regulation 56. Processors may continue to sell items of the products listed in section 1 of this supplementary regulation at or below ceiling prices established under CPR 56 without reference to the provisions of this supplementary regulation.

SEC. 4. Automatic revocation. This supplementary regulation shall be automatically revoked with respect to a particular product listed in section 1 of this supplementary regulation on the effective date of any supplementary regulation or amendment to Ceiling Price Regulation 56 hereafter issued covering the particular product.

All provisions of Ceiling Price Regulation 56 not inconsistent with this supplementary regulation remain in full force and effect.

Effective date. This supplementary regulation shall become effective on December 3, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 3, 1951.

[F. R. Doc. 51-14469; Filed, Dec. 3, 1951;
4:14 p. m.]

[Ceiling Price Regulation 81, Supplementary Regulation 1]

CPR 81—CEILING PRICES FOR FROZEN VEGETABLES OF THE 1951 PACK

SR 1—OPTIONAL PRICING FOR FROZEN VEGETABLES OF THE 1951 PACK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 81 is hereby issued.

STATEMENT OF CONSIDERATIONS

Sellers of frozen fruits, berries, and vegetables who are covered by the provisions of Ceiling Price Regulations 81 and 82 have submitted preliminary data indicating that substantial price distortions and many individual inequities would result if they were forced to price under CPR's 81 and 82. Unless some interim relief can be afforded these sellers pending the submission of detailed and complete data on prices and sales which would enable OPS to correct promptly any price distortions which may exist, significant dislocations in the normal processes of the sales and distribution of frozen fruits, berries, and vegetables are likely to occur.

Accordingly, this supplementary regulation, and a companion supplementary regulation to CPR 82 being issued simultaneously, permit sellers covered by CPR 81 or 82 to choose to use as their ceiling prices the weighted average of their November 1951 selling prices. If no sales of an item were made during November 1951, a seller may use the weighted average of the first month preceding No-

vember 1951 (but not earlier than February 1951) in which he did make sales of the item. If no sales of an item were made during the entire period February–November 1951, a seller may use as his selling price for the item the ceiling price established under the General Ceiling Price Regulation. In order not to create any new distortions in normal price relationships during this interim period, which might result if some items were priced under this supplementary regulation and some under CPR 81 or 82, sellers must either price all items of all frozen vegetables of the 1951 pack under this supplementary regulation, or price all items under CPR 81. Similarly, sellers must either price all items of frozen fruits and berries of the 1951 pack under the optional method or price all such items under CPR 82.

In any event, whether a seller chooses to price under this supplementary regulation or not, he must mail the required reporting forms under CPR 81 and CPR 82 to OPS by December 8, 1951. This will provide an additional source of data enabling OPS to provide appropriate adjustments. It is expected that all necessary data will have been received and analyzed and all appropriate adjustments will have been made by about January 15, 1952. Upon the issuance of a regulation making such adjustments, this supplementary regulation will be revoked.

Before issuing this and the companion supplementary regulation to CPR 82, the Director of Price Stabilization has consulted with members of the industry and has given full consideration to their recommendations. In the judgment of the Director, all provisions of this supplementary regulation are generally fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Optional pricing for frozen vegetables.
3. Ceiling prices for processors unable to use section 2 of this supplementary regulation.
4. Sales under Ceiling Price Regulation 81.
5. Reports which must be filed.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101–2110. E. O. 10161, Sept. 9, 1950; 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. What this supplementary regulation does. This supplementary regulation modifies Ceiling Price Regulation 81 by allowing sellers of frozen vegetables covered by CPR 81 to establish as their ceiling prices for all items of frozen vegetables of the 1951 pack their sales prices in effect immediately prior to the effective date of CPR 81. These sellers of frozen vegetables may sell at or below the ceiling prices established under CPR 81. If, however, a seller chooses to price under the provisions of this supplementary regulation for any item, he must price all items of frozen vegetables of the 1951 pack under this supplementary regulation. All provisions of CPR 81 not inconsistent

with this supplementary regulation remain in full force and effect.

SEC. 2. Optional pricing for frozen vegetables. You may establish as your ceiling price for each item of frozen vegetables covered by the provisions of CPR 81, your weighted average sales price for each such item during the period November 1 to 30, 1951, inclusive. In computing this "weighted average sales price," you shall include all actual sales at firm prices of the item made during the period in the regular course of business, regardless of the date of delivery or date of pack. You shall exclude the following sales and sales contracts, even though made during the period: Sales at retail (including sales to growers and employees) and at wholesale; sales to chain store buying agencies, or to retail store buying agencies which warehouse the product; sales to government procurement agencies; sales to institutions and domestic users, state agencies and political sub-divisions thereof; sales of damaged goods and goods packed for experimental purposes. If you made no sales of a particular item during the period November 1–30, 1951, inclusive, you shall substitute for that period the first from among the following periods in which you did make sales of such item: October 1–31, 1951, inclusive; September 1–30, 1951, inclusive; July 1–31, 1951, inclusive; June 1–30, 1951, inclusive; May 1–31, 1951, inclusive; April 1–30, 1951, inclusive; March 1–31, 1951, inclusive; February 1–28, 1951, inclusive (in that order).

SEC. 3. Ceiling prices for processors unable to use section 2 of this supplementary regulation. If you made no sales of a particular item during the period February 1–November 30, 1951, inclusive, and you desire to price all items of all frozen vegetables of the 1951 pack under this supplementary regulation, you shall establish as your ceiling price for such item not sold during such period your ceiling price established under the provisions of the General Ceiling Price Regulation.

SEC. 4. Sales under Ceiling Price Regulation 81. You may sell items of frozen vegetables of the 1951 pack at or below your ceiling prices established under CPR 81 without reference to this supplementary regulation. However, if you establish a ceiling price for any item of frozen vegetables under this supplementary regulation, you shall establish ceiling prices for all items of all frozen vegetables under this supplementary regulation.

SEC. 5. Reports which must be filed. In every case, whether or not you choose to price under the provisions of this supplementary regulation, you shall regardless of the provisions of section 19 (b) of CPR 81, mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., not later than December 8, 1951, all reports required by section 19 (a) of CPR 81. In the event that you are not able to calculate a ceiling price for any item under CPR 81, you shall file your report for those items for which you can calculate ceiling prices, and shall state the reason

why you are unable to calculate ceiling prices for all other items.

Effective date. This supplementary regulation is effective December 3, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 3, 1951.

[F. R. Doc. 51-14467; Filed, Dec. 3, 1951;
4:13 p. m.]

[Ceiling Price Regulation 82, Supplementary Regulation 1]

CPR 82—CEILING PRICES FOR FROZEN FRUITS AND BERRIES OF THE 1951 PACK

SR 1—OPTIONAL PRICING FOR FROZEN FRUITS AND BERRIES OF THE 1951 PACK

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this supplementary regulation to Ceiling Price Regulation 82 is hereby issued.

STATEMENT OF CONSIDERATIONS

The reasons for the issuance of this supplementary regulation to Ceiling Price Regulation 82, the pricing methods and the general description of the other terms and provisions of this supplementary regulation are fully set forth in the Statement of Considerations accompanying Supplementary Regulation 1 to Ceiling Price Regulation 81, which is being issued simultaneously.

Before issuing this supplementary regulation, the Director of Price Stabilization has consulted with members of the industry and has given full consideration to their recommendations. In the judgment of the Director, all provisions of this supplementary regulation are generally fair and equitable and necessary to effectuate the purposes of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. What this supplementary regulation does.
2. Optional pricing for frozen fruits and berries.
3. Ceiling prices for processors unable to use section 2 of this supplementary regulation.
4. Sales under Ceiling Price Regulation 82.
5. Reports which must be filed.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR 1950 Supp.

SECTION 1. What this supplementary regulation does. This supplementary regulation modifies Ceiling Price Regulation 82 by allowing sellers of frozen fruits and berries covered by CPR 82 to establish as their ceiling prices for all items of frozen fruits and berries of the 1951 pack their sales prices in effect immediately prior to the effective date of CPR 82. These sellers of frozen fruits and berries may sell at or below the ceiling prices established under CPR 82. If, however, a seller chooses to price under the provisions of this supplementary

regulation for any item, he must price all items of frozen fruits and berries of the 1951 pack under this supplementary regulation. All provisions of CPR 82 not inconsistent with this supplementary regulation remain in full force and effect.

SEC. 2. Optional pricing for frozen fruits and berries. You may establish as your ceiling price for each item of frozen fruits and berries covered by the provisions of CPR 82, your weighted average sales price for each such item during the period November 1 to 30, 1951, inclusive. In computing this "weighted average sales price", you shall include all actual sales at firm prices of the item made during the period in the regular course of business, regardless of the date of delivery or date of pack. You shall exclude the following sales and sales contracts, even though made during the period: Sales at retail (including sales to growers and employees) and at wholesale; sales to chain store buying agencies, or to retail store buying agencies which warehouse the product; sales to government procurement agencies; sales of damaged goods and goods packed for experimental purposes. If you made no sales of a particular item during the period November 1-30, 1951, inclusive, you shall substitute for that period the first from among the following periods in which you did make sales of such item: October 1-31, 1951, inclusive; September 1-30, 1951, inclusive; July 1-31, 1951, inclusive; June 1-30, 1951, inclusive; May 1-31, 1951, inclusive; April 1-30, 1951, inclusive; March 1-31, 1951, inclusive; February 1-28, 1951, inclusive (in that order).

SEC. 3. Ceiling prices for processors unable to use section 2 of this supplementary regulation. If you made no sales of a particular item during the period February 1-November 30, 1951, inclusive, and you desire to price all items of all frozen fruits and berries of the 1951 pack under this supplementary regulation, you shall establish as your ceiling price for such item not sold during such period your ceiling price established under the provisions of the General Ceiling Price Regulation.

SEC. 4. Sales under Ceiling Price Regulation 82. You may sell items of frozen fruits and berries of the 1951 pack at or below your ceiling prices established under CPR 82 without reference to this supplementary regulation. However, if you establish a ceiling price for any item of frozen fruits and berries under this supplementary regulation, you shall establish ceiling prices for all items of all frozen fruits and berries under this supplementary regulation.

SEC. 5. Reports which must be filed. In every case whether or not you choose to price under the provisions of this supplementary regulation, you shall, regardless of the provisions of section 19 (b) of CPR 82, mail to the Fruit and Vegetable Branch, Office of Price Stabilization, Washington 25, D. C., not later than December 8, 1951, all reports required by section 19 (a) of CPR 82. In the event that you are not able to calculate a ceiling price for any item under

CPR 82, you shall file your report for those items for which you can calculate ceiling prices, and shall state the reason why you are unable to calculate ceiling prices for all other items.

Effective date. This supplementary regulation is effective December 3, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 3, 1951.

[F. R. Doc. 51-14468; Filed, Dec. 3, 1951;
4:13 p. m.]

[Ceiling Price Regulation 89, Supplementary Regulation 1]

CPR 89—INDUSTRIAL MOLASSES

SR 1—INVERT MOLASSES

Pursuant to the Defense Production Act of 1950, as amended (Pub. Law 774, 81st Cong., Pub. Law 96, 82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Supplementary Regulation 1 to Ceiling Price Regulation 89 (16 F. R. 808) is hereby issued.

STATEMENT OF CONSIDERATIONS

The accompanying supplementary regulation to Ceiling Price Regulation (CPR) 89 establishes a method by which sellers of "invert molasses" may establish ceiling prices for this commodity.

CPR 89 set dollars-and-cents ceiling prices for different types of industrial molasses at the producer and distributor level. No prices were set there for invert molasses, however, as the conditions under which invert molasses can be produced were not foreseen at that time. Invert molasses is obtainable only from sugarcane which has been frozen and subsequently thawed. It differs from other types of industrial molasses in that no sugar is extracted from it and thus has a much higher sugar content. It differs from sugarcane syrup, however, in that it is inedible. It is used as is other industrial molasses, i. e., as one of the raw materials in the manufacture of alcohol or as a component in stock feeds, but its higher sugar content makes it more valuable. Invert molasses is produced only when a part of the sugarcane crop of an area freezes due to unseasonable weather.

During the past season the sugarcane crop in Louisiana was late in maturing due to a summer drought. As a result of this drought and an early freeze approximately one-third of this crop was made unfit for milling into sugar. In order to salvage as much as possible some of the cane producers have been forced to mill the cane into invert molasses. The accompanying regulation allows these producers to price the resulting molasses on the basis of the prices set for cane blackstrap molasses in CPR 89, adjusted for increased sugar content.

FINDINGS OF THE DIRECTOR

In formulating this supplementary regulation the Director of Price Stabilization has consulted with interested

members of the industry and has given full consideration to its recommendations. In his judgment, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act, as amended.

So far as practicable, the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the Defense Production Act of 1950, as amended, and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.

1. What this regulation does.
2. Geographical application.
3. Prices for invert molasses.
4. Continued applicability of Ceiling Price Regulation 89.
5. Definitions.

AUTHORITY: Sections 1 to 5 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. What this regulation does. This regulation establishes ceiling prices for invert molasses sold by producers and distributors.

SEC. 2. Geographical application. The provisions of this regulation apply in the 48 States of the United States and the District of Columbia.

SEC. 3. Prices for invert molasses. Your ceiling price for invert molasses is that provided for your sales of cane blackstrap molasses in the appropriate section of CPR 89, adjusted as follows: If the total sugars content of the invert molasses is above or below 52 percent, your ceiling price per 42° Baume gallon of invert molasses is increased or decreased by $\frac{1}{2}\%$ for each percentage of variation above or below 52 percent total sugars. Variations in total sugars content of less than 1 percent will result in price increases or decreases in proportion.

SEC. 4. Continued applicability of Ceiling Price Regulation 89. All provisions of CPR 89, except as modified by this supplementary regulation, continue to apply to you.

SEC. 5. Definitions. "Invert molasses" means the inedible liquid product obtained when no part of the commercially crystallizable sugar is extracted from previously frozen sugar cane.

Effective date. This regulation shall become effective December 4, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 4, 1951.

[F. R. Doc. 51-14526; Filed, Dec. 4, 1951;
11:50 a. m.]

[Ceiling Price Regulation 100]

CPR 100—RETAIL SALES OF NEW AND USED MECHANICAL FARM EQUIPMENT

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), and Economic

Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 100 is hereby issued.

STATEMENT OF CONSIDERATIONS

On August 21, 1951, the Office of Price Stabilization issued Ceiling Price Regulation 67, "Resellers' Ceiling Prices for Machinery and Related Manufactured Goods." This regulation included within its coverage sellers of farm equipment, both at wholesale and retail levels. However, CPR 67 was intended as an interim measure, insofar as retail dealers of farm equipment were concerned, until a regulation especially designed for the needs of this industry could be developed. This regulation adopts the basic pricing technique of CPR 67 and only makes those changes which are necessitated by the peculiar problems of the retail farm equipment industry.

Approximately 80 percent of all retail farm equipment dealers establish their ceiling prices for new complete items of farm equipment by applying to the manufacturer's published list prices, f. o. b. factory, a flat percentage for their service and handling charges and adding a charge for transportation. This is the same pricing technique which was used by the Office of Price Administration during World War II.

In accordance with the pricing practices of the industry this regulation establishes as the ceiling price for new complete items of farm equipment the manufacturer's current published list price, f. o. b. factory, plus a handling and service charge of 5 percent of this list price and a charge for inbound transportation. Five percent of the manufacturer's list price is used as the handling and service charge, since this is the handling and service charge which is presently used by those farm equipment dealers who account for the largest dollar volume of sales of new complete items of farm equipment.

Ceiling prices for new farm equipment repair parts are established by this regulation as the manufacturer's current published list price f. o. b. factory, plus either the actual manufacturer's or wholesale distributor's handling charges and actual transportation costs paid by the seller, or a percentage of the list price equal to the highest percentage used by the farm equipment dealer during the period April 1 through June 24, 1950.

If, during the period April 1 through June 24, 1950, a retail farm equipment dealer did not determine his selling prices for new complete farm equipment or new farm equipment repair parts by the methods outlined, this regulation establishes ceiling prices for such dealers by use of the same pricing method that is used in CPR 67. This method requires that the ceiling price be determined by applying the highest percentage markup realized during the period April 1 through June 24, 1950, to net invoice or delivered cost, depending upon the practice followed in this period by the dealer.

In addition to providing the methods for determining ceiling prices for new complete items of farm equipment and new farm equipment repair parts, this regulation also establishes ceiling prices

for complete items of used farm equipment and used farm equipment repair parts. Heretofore, ceiling prices of used farm equipment and used farm equipment repair parts have been established by the General Ceiling Price Regulation. Generally the GPCR establishes as a ceiling price the highest price at which a commodity was sold during the period December 19, 1950, through January 25, 1951. If no sales were made of a particular commodity or of a comparable commodity during this period the GPCR provides the ceiling price shall be that of the nearest competitive seller, or, if there is no such competitor, the seller is required to apply to OPS for a ceiling price. Used farm equipment is frequently sold by farmers who are users of the equipment and who do not normally deal in these commodities. Further, even dealers in farm equipment make very few repetitive sales of the same used item during a short period. As a result, many sellers of used farm equipment and used farm equipment repair parts did not deal in a particular item during the period December 19, 1950, through January 25, 1951, the base period established by the General Ceiling Price Regulation. Accordingly, it was necessary to determine the ceiling prices of such items either on the basis of competitor's prices or, where competitor's prices were unavailable, on the basis of a ceiling price specifically authorized by the Office of Price Stabilization. For this reason the pricing technique of the GPCR cannot be used with facility in determining ceiling prices for used farm equipment or used farm equipment repair parts.

The ceiling prices established by this regulation for used complete farm equipment are dependent upon the type of seller. If an item is sold by a person who originally acquired the item for use and not for resale the ceiling price is 85 percent of base price if sold within two years after the date of sale new, or 70 percent of base price if sold more than two years after the date of sale new. If an item is sold by a dealer the ceiling price is the trade-in allowance or purchase price, plus twenty-five dollars or 10 percent of such allowance or price, plus a charge for parts and labor actually used. However, in this case the ceiling price is limited by the same percentage of the base price that is used when an item is sold by a person who originally acquired the item for use and not resale. Ceiling prices of reconditioned and guaranteed used items sold by a service dealer to a user are determined in the same manner as ceiling prices for sales by a dealer except that the amount permitted to be added to the allowance or price is twenty-five dollars or 30 percent of this allowance or price, and the limitation is 95 percent of base price. The base price used in all of the foregoing situations is generally the manufacturer's current published list price for the item, f. o. b. factory. Ceiling prices for used farm equipment repair parts are established as 70 percent of the base price regardless of the type of seller.

These methods and the percentages employed are in conformity with gen-

eral industry practices and have been recommended by the industry.

In the preparation of this regulation, the Director has extensively consulted with the Farm Equipment Retailers Industry Advisory Committee of the Office of Price Stabilization. In substance, this regulation adopts the recommendations of this Committee.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in the business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

In the judgment of the Director of Price Stabilization, the ceiling prices established by this regulation are generally fair and equitable to buyers and sellers alike and are necessary to effectuate the purpose of Title IV of the Defense Production Act of 1950, as amended.

REGULATORY PROVISIONS

Sec.

1. Sellers and sales covered by this regulation.
2. Ceiling prices for new complete farm equipment which has a manufacturer's current published list price.
3. Ceiling prices for new farm equipment repair parts which have a manufacturer's current published list price.
4. Ceiling prices for sales of new complete farm equipment and new farm equipment repair parts not covered by sections 2 or 3.
5. Farm equipment that cannot be priced under any other section of this regulation.
6. Ceiling prices for used farm equipment.
7. Taxes.
8. Transfers of business or stock in trade.
9. Petitions for amendment.
10. Supplementary regulations and orders.
11. Invoicing.
12. Records.
13. Notice of auction sales.
14. Evasions.
15. Interpretations.
16. Charges lower than ceiling prices.
17. Prohibitions.
18. Definitions.

AUTHORITY: Sections 1 to 18 issued under sec. 704, 64 Stat. 816; Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, Pub. Law 96, 82d Cong.; 50 U. S. C. App. Sup. 2101-2110; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Sellers and sales covered by this regulation. This regulation covers you if you are located in the United States, the District of Columbia, and the following territories or possessions: Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands, and if you are a retail seller of new complete farm equipment or new farm equipment repair parts. It also covers you if you are located in the United States, the District of Columbia, and the following territories or possessions: Alaska, Guam, Hawaii, Puerto Rico, and the Virgin Islands, and if you sell any used complete farm equipment or used farm equipment repair parts. This regulation supersedes all regulations previously issued by the Office of Price Stabilization, insofar as transac-

tions covered by this regulation are concerned.

SEC. 2. Ceiling prices for new complete farm equipment which has a manufacturer's current published list price—(a) Applicability. You use this section to determine your ceiling price for the sale of any item of new complete farm equipment for which the manufacturer has issued a current published list price, and for which, during the period April 1 through June 24, 1950, you determined your selling price by adding to the manufacturer's published list price a percentage of this list price for service and handling, in connection with the sale of the item, and a charge for inbound transportation. If, during the period April 1 through June 24, 1950, you did not determine your selling prices for new complete farm equipment having a manufacturer's published list price in this manner, you must determine your ceiling prices under section 4 of this regulation. Further, you must determine your ceiling price for new complete farm equipment under section 4 of this regulation if the discounts, which the manufacturer currently has in effect, are different from those which he had in effect on June 24, 1950. You must use this section 2 to determine your ceiling prices for the sale of items of new complete farm equipment for which the manufacturer has issued a current published list price if you do not have written records to show your method of determining selling prices for such items during the period April 1 through June 24, 1950.

(b) Ceiling prices. Your ceiling price for the sale of any item of new complete farm equipment covered by this section is the sum of the following:

(1) **List price.** The manufacturer's current published list price, f. o. b. factory, for the item. An explanation of the term "current published list price" is found in section 18 (Definitions).

(2) **Transportation costs.** Transportation costs computed at the current carload freight rate for the shipment of the item from the factory to the manufacturer's branch or distribution point serving your area, plus the current l. c. l. freight rate or ICC truck rate from this distribution point to your place of business. If, during the period April 1 through June 24, 1950, you had in effect a method for averaging transportation costs, you may continue to use this method of averaging transportation costs.

(3) **Manufacturer's or wholesale distributor's handling charges.** The dollar amount of the manufacturer's or wholesale distributor's handling charges paid by you, less any rebates or allowances.

(4) **Service and handling charges.** An allowance for your handling or servicing which is equal to 5 percent of the manufacturer's current published list price, f. o. b. factory. However, this service and handling charge must be reduced if you do not perform any one or more of the following services which are required in connection with your sale of the item: (i) erection and assembly of equipment; (ii) installation of all attachments; (iii) delivery of new items and removal of trade-in items; (iv) fuel and oil placed in equipment. This re-

duction in the service and handling charge shall equal your current cost of the services which you do not perform. You must also furnish, at no additional charge, any service furnished by you without charge during the period April 1 through June 24, 1950, such as demonstrations and operator training.

(5) **Charges for special installation of stationary equipment.** A charge for special installation of stationary equipment, if such installation is required, not to exceed the ceiling price established for the installation. If you add this installation charge you may not add a charge for service and handling.

(6) **Telephone, telegraph, express, parcel post or air freight charges.** Your actual costs for any long distance telephone calls, telegrams, or express, parcel post or air freight charges or other unusual expenses, where you incur such costs or expenses at the request of the purchaser, in order to expedite a particular order.

(7) **Taxes.** Those taxes which section 7 (Taxes) permits you to add to your ceiling price.

SEC. 3. Ceiling prices for new farm equipment repair parts which have a manufacturer's current published list price—(a) Applicability. You use this section to determine your ceiling price for the sale of any new farm equipment repair parts for which the manufacturer has issued a current published list price, unless during the period April 1 through June 24, 1950, you determined your selling price for farm equipment repair parts by adding a percentage markup to your net invoice or delivered cost. If you did determine your selling price, during the period April 1 through June 24, 1950, by adding a percentage markup to your net invoice or delivered cost you must determine your ceiling price under section 4 of this regulation. You must also use section 4 of this regulation to determine your ceiling price if the discounts which the manufacturer currently has in effect, are different from those which he had in effect on June 24, 1950.

(b) Ceiling prices. Your ceiling price for the sale of any new farm equipment repair parts covered by this section is the sum of the following:

(1) **List price.** The manufacturer's current published list price, f. o. b. factory, for the part.

(2) **Transportation.** Actual transportation costs paid by you for shipment of the part from the factory to you, less any allowances or rebates on transportation costs received by you. If, during the period April 1 through June 24, 1950 you had in effect a method for averaging transportation costs, you may continue to use this method of averaging transportation costs.

(3) **Manufacturer's or wholesale distributor's handling charges.** The dollar amount of the manufacturer's or wholesale distributor's handling charges paid by you, less any rebates or allowances, if such charges are not included in the manufacturer's or wholesale distributor's charge for transportation.

(4) **Telephone, telegraph, express, parcel post or air freight charges.** Your actual cost for any long distance tele-

phone calls, telegrams, or express, parcel post or air freight charges or other unusual expenses where you incur such costs or expenses at the request of the purchaser, in order to expedite a particular order.

(5) *Taxes.* Those taxes which section 7 (*Taxes*) permits you to add to your ceiling price.

(6) *Percentage of manufacturer's current published list price.* You may add a percentage of the manufacturer's list price, instead of the charges listed in (2) and (3). If you do so, this percentage must not exceed the highest percentage added by you to the manufacturer's published list price for new farm equipment repair parts during the period April 1 through June 24, 1950, as shown by your written records.

SEC. 4. Ceiling prices for sales of new complete farm equipment and new farm equipment repair parts not covered by sections 2 or 3. This section is applicable to commodities for which the manufacturer has not issued a current published list price which he has figured under the applicable OPS regulation. The term "commodity" when used in this section, means new complete farm equipment or new farm equipment repair parts. Also, if, during the period April 1 through June 24, 1950, the manufacturer had a published list price for the commodities you are pricing, or commodities of the same type, and you did not determine your selling prices in the manner stated in sections 2 or 3 of this regulation, you determine your ceiling prices for these commodities under this section. An explanation of the term "commodity of the same type" is found in section 18 (*Definitions*). You determine your ceiling price for a commodity covered by this section by multiplying your cost of the commodity, determined under paragraph (a) of this section, by your percentage markup determined under paragraph (b) and (c) of this section. You use paragraph (b) to determine your percentage markup, when, during the period April 1 through June 24, 1950, you determined your selling price for the commodity you are pricing (or a commodity of the same type) by applying a percentage markup to the net invoice cost of the commodity to you. You also use paragraph (b) if during the period April 1 through June 24, 1950, you used the manufacturer's published list price as a basis for determining your selling price by a method other than those set forth in sections 2 and 3. You use paragraph (c) to determine your percentage markup, when, during the period April 1 through June 24, 1950, you determined your selling price for the commodity you are pricing (or a commodity of the same type) by applying a percentage markup to your delivered cost. An explanation of the terms "net invoice cost" and "delivered cost" is contained in section 18 (*Definitions*). You may use this section only if you have written records of your sales and purchases of the commodity you are pricing, or a commodity of the same type, during the period April 1 through June 24, 1950.

(a) *Cost of the commodity.* The cost of the commodity that you must use in

determining your ceiling price shall be your net invoice cost or your delivered cost (depending upon whether during the period April 1 through June 24, 1950, you applied your percentage markup to net invoice cost or delivered cost), not in excess of the applicable ceiling price. For the purposes of this section, if you receive a written statement from your supplier that the price charged you does not exceed the applicable ceiling price, and you have no reason to doubt the validity of this statement, you may treat the price certified by your supplier as not to be in excess of the ceiling price. A statement that "prices in this invoice do not exceed OPS ceiling prices" will be acceptable.

(b) *Percentage markup over net invoice cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or commodity of the same type) by applying a percentage markup to net invoice cost, or if you used the manufacturer's published list price as a basis for determining your selling price by a method other than those set forth in sections 2 and 3, you use the first of the following markups, which is available from your written records, with respect to the commodity you are pricing:

(1) The highest percentage markup over net invoice cost that you realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of the same class.

(2) The highest percentage markup over net invoice cost that you realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of the same class.

(3) The highest percentage markup over net invoice cost that you realized during the period April 1 through June 24, 1950, on a sale of the same commodity to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential you last had in effect before April 1, 1950. If you are selling to an entirely new class of purchaser, you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(4) The highest percentage markup over net invoice cost that you realized during the period April 1 through June 24, 1950, on a sale of the most comparable commodity of the same type to a purchaser of a different class, adjusted to reflect the differential between the two classes of purchasers which you last had in effect during the period April 1 through June 24, 1950, or if none, then the differential which you last had in effect before April 1, 1950. If you are selling to an entirely new class of purchaser you must determine your ceiling price under section 5 of this regulation for that class of purchaser.

(c) *Percentage markup over delivered cost.* If, during the period April 1 through June 24, 1950, you determined your selling price for the commodity (or a commodity of the same type) by applying a percentage markup to delivered cost, you determine your ceiling price

by applying a percentage markup to delivered cost. In such case, you determine your ceiling price in accordance with the provisions of paragraph (b) of this section, except that you shall substitute the phrase "delivered cost" for the phrase "net invoice cost", wherever the phrase "net invoice cost" appears in paragraph (b) of this section.

(d) *Terms and conditions of sale.* You may add to your ceiling prices determined under this section only those charges or costs listed in this paragraph, if those charges are not included in your percentage markup over net invoice or delivered cost. These charges or costs may be added only if you are able to show from your written records that during the period April 1 through June 24, 1950, you actually charged extra for the particular charge or cost which you wish to add, and you must separately state on your invoice each particular charge or cost listed in this paragraph which you add.

(1) *Transportation costs.* You may not require any purchaser to pay a larger proportion of transportation costs incurred in the delivery or supply of any commodity than you required a purchaser of the same class to pay during the period April 1 through June 24, 1950, on deliveries or supplies of the same or similar types of commodities. If, during the period April 1 through June 24, 1950, you had in effect a method for averaging transportation costs, you must continue to use that method of averaging transportation costs.

(2) *Service and handling charges.* You must figure charges for service and handling by using the same rates that you used during the period April 1 through June 24, 1950.

(3) *Telephone, telegraph, express, parcel post or air freight charges.* You may not add to your ceiling price any cost in excess of your actual cost for any long distance telephone calls, telegrams, or express, parcel post or air freight charges, or other unusual expenses, and you may make additions for these charges only where you incur such expenses at the request of the purchaser in order to expedite a particular order.

(4) *Installation charges.* A charge for special installation of stationary equipment, if such installation is required, not to exceed the ceiling price for the installation. If you add this installation charge, you may not add a charge for service and handling.

(5) *Taxes.* Those taxes which section 7 (*Taxes*) permits you to add to your ceiling price.

SEC. 5. Farm equipment that cannot be priced under any other section of this regulation. The ceiling price for the sale of any item of complete farm equipment or farm equipment repair parts for which you cannot determine your ceiling price under any other section of this regulation shall be a price, authorized by the Director of Price Stabilization, which is in line with ceiling prices otherwise established by this regulation. Where you cannot determine your ceiling price under any other section of this regulation, you must file a report by registered mail, return receipt requested, with the

proper District Office of the Office of Price Stabilization before you sell, offer to sell, or deliver the commodity. This report shall state the following:

(a) A description of the commodity (or commodities) for which you seek a ceiling price. This description shall include the manufacturer's name, type of commodity, model and any other specifications commonly shown on price sheets for similar commodities. The enclosure of the manufacturer's price sheets will satisfy this requirement.

(b) Your net invoice or delivered cost of the commodity (or commodities).

(c) Your proposed ceiling price or prices and the extra charges, if any.

(d) A statement of the basis on which your proposed ceiling price or prices were determined.

(e) An explanation of the reasons why you cannot determine the ceiling price for the commodity (or commodities) under any other section of this regulation.

After receipt of this report, the Office of Price Stabilization may approve the proposed ceiling price, disapprove the proposed ceiling price, establish a different ceiling price by order, or request further information. If, fifteen days after receipt of the required report by the Office of Price Stabilization, as shown by your return receipt, none of the actions just listed has been taken, you may sell at your proposed ceiling price until such time as the Office of Price Stabilization notifies you that this price has been disapproved.

The ceiling price established in the manner just set forth applies to all subsequent sales and deliveries. However, if the Office of Price Stabilization determines that this price is not in line with ceiling prices established by this regulation, it may disapprove that price at any time. This disapproval will not be retroactive as to any deliveries made before the date of such disapproval.

SEC. 6. Ceiling prices for used farm equipment—(a) Applicability. This section applies to you if you sell any item of used complete farm equipment or used farm equipment repair parts. An explanation of the terms "used complete farm equipment" and "used farm equipment repair parts" is found in section 18 (Definitions).

(b) *Base price.* The "base price" which you must use in determining your ceiling prices under this section shall be the first of the following which is available:

(1) The manufacturer's current published list price, f. o. b. factory, for the item.

(2) The last published list price, f. o. b. factory, for the item that the manufacturer issued.

(3) If the item never had a published list price, your base price is the ceiling price for which the same or most comparable item would be sold new in the locality of the sale, minus its transportation costs computed at the carload freight rate from the point of its manufacture to the railroad station nearest the point of sale.

(4) If the item never had a published list price, and if you originally purchased

or acquired the item for use and not for resale, your base price is your purchase price for the item. Before you may use your purchase price as base price you must ascertain by inquiry of a dealer, or by other appropriate means, that the item does not have a current published list price and that there is no last published list price.

(c) *Ceiling prices for sales of used complete farm equipment by any person who originally acquired the equipment for his own use and not for resale.* If you sell any item of used complete farm equipment which you originally acquired for your own use and not for resale, your ceiling price is determined as follows:

(1) If the item is sold within two years after the date of its sale new, its ceiling price is 85 percent of its base price.

(2) If the item is sold two years or more after the date of its sale new, its ceiling price is 70 percent of its base price.

(d) *Ceiling prices for sales of used complete farm equipment (not reconditioned or guaranteed) that has been acquired or purchased for resale—(1) Ceiling prices.* Except as limited by subparagraph (2) of this paragraph, your ceiling price for the sale of any item of used complete farm equipment that you have acquired or purchased for resale, other than reconditioned and guaranteed items, shall be the sum of the following:

(i) The trade-in allowance granted or the purchase price paid by you.

(ii) \$25.00 or 10 percent of (i), whichever is the greater.

(iii) The ceiling price for your sale of such parts as are needed and used by you in repairing the item.

(iv) A charge equal to your current cost of other materials and for labor needed and actually used or performed by you in repairing the item, not to exceed your ceiling prices for such materials or services determined in accordance with the applicable OPS regulation.

(2) *Limitation of ceiling prices determined under this paragraph.* In no event may your ceiling price determined under this paragraph (d) for the sale of any used complete farm equipment exceed (i) 85 percent of the base price for the item, determined under paragraph (b) of this section, if the item is sold within two years after the date of its sale when new; or (ii) 70 percent of the base price of the item, determined under paragraph (b) of this section, if the item is sold more than two years after the date of its sale new.

(e) *Ceiling prices for sales by a service dealer of reconditioned and guaranteed items of used complete farm equipment—(1) Applicability.* This paragraph applies to you if you are a service dealer and if you sell to users any item of used complete farm equipment which has been reconditioned and guaranteed. A reconditioned and guaranteed item of used complete farm equipment is one for which you give the buyer, at the time of sale, the written guarantee set forth in the example in Appendix A to this regulation. You must complete the information required by this guarantee. In addition, you or your agent must have replaced, adjusted, repaired or aligned all parts which should be replaced, adjusted,

repaired or aligned for proper operation of the item. An explanation of the term "service dealer" is found in section 18 (Definitions).

(2) *Ceiling prices.* Except as limited by subparagraph (3) of this paragraph, your ceiling price for the sale of any reconditioned and guaranteed item of used complete farm equipment to a user is the sum of the following:

(i) The trade-in allowance made, or purchase price paid by you.

(ii) \$25.00 or 30 percent of (i), whichever is greater.

(iii) Your ceiling price for the parts actually used by you in reconditioning the item.

(iv) A charge for other materials used and services furnished by you in reconditioning the item, not to exceed your ceiling price for such materials and services determined in accordance with the applicable OPS regulation.

(3) *Limitation of ceiling prices determined under this paragraph.* In no event may your ceiling price determined under this paragraph for the sale of any item exceed 95 percent of the base price of the item.

(f) *Ceiling prices for sales of used farm equipment repair parts.* Your ceiling price for the sale of any used farm equipment repair part is 70 percent of the first of the following prices which is available:

(1) The manufacturer's current published list price for the part, f. o. b. factory.

(2) The last published list price for the part that the manufacturer issued, f. o. b. factory.

(3) If the part never had a published list price, your ceiling price is 70 percent of the ceiling price for which the same or most comparable part would be sold new.

SEC. 7. Taxes. If a tax or tax increase is imposed on a commodity and the tax law does not forbid you to pass the tax on to your customers, you may add the tax or tax increase to your ceiling price. If you add this tax or tax increase to your ceiling price, you must separately state it. However, if the tax was in effect during the period April 1 through June 24, 1950, and you did not charge your customers for the tax during that period, you may not do so now.

SEC. 8. Transfers of business or stock in trade. If the business, assets or stock in trade of any business are sold or otherwise transferred after the issue date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodities, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over to the transferee, all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

RULES AND REGULATIONS

SEC. 9. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with provisions of Price Procedural Regulation No. 1, Revised.

SEC. 10. *Supplementary regulations or orders.* The Director of Price Stabilization may issue supplementary regulations or orders modifying or implementing this regulation as he deems appropriate.

SEC. 11. *Invoicing.* On and after the effective date of this regulation, you must furnish each purchaser of any new or used item covered by this regulation, which is sold for \$25.00 or more, an invoice which contains the following information:

(a) Your name and address.
(b) The date of sale.
(c) A description of each item sold. This description shall include the make, model and serial number, if any, of each item.

(d) The selling price of each item sold.
(e) A separate statement of any extra charges permitted by this regulation.

(f) If you sell any complete item of used farm equipment which you have purchased or acquired for resale, the invoice you furnish the purchaser must also contain an itemized list of parts and labor, if any, you have used in repairing or reconditioning the item, and a certification by you that such parts and labor have actually been used.

(g) If you are a service dealer and if you sell an item of reconditioned and guaranteed used complete farm equipment, you must give the buyer, at the time of sale, the written guarantee set forth in the example in Appendix A to this regulation. This guarantee will satisfy the invoicing requirements of this section.

SEC. 12. *Records.* Every person who sells and every person who in the regular course of trade or business buys any commodity covered by this regulation shall make and keep for inspection by the Director of Price Stabilization for a period of two years, complete and accurate records of each sale or purchase made after the effective date of this regulation. These records shall specifically include the following:

(a) *Invoices.* You shall preserve, for a period of two years, a copy of each invoice or guarantee required by section 11.

(b) *Prices charged.* You must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, a record of the prices at which you delivered, sold or offered in writing to sell, each commodity during the period April 1 through June 24, 1950.

(c) *Purchases of used equipment for resale.* If you purchase or receive in trade used farm equipment for the purpose of resale, you shall keep, for a period of two years, records containing the following information with respect to each item of used farm equipment which you purchase or receive in trade:

(1) Your acquisition cost or trade-in allowance.

(2) A description of the used item, including the make, model, and serial number if any, and make, model, type and size of special attachments acquired with the used item.

(3) The name and address of the person from whom the used item was purchased or acquired.

(4) The date the used item was purchased or acquired.

(5) The disposition which you made of the used item, e. g., sale, lease, etc., and the date of that disposition.

(6) Where you dispose of the used item by sale, the total price received, the charges made for parts and labor, separately itemized, if any.

(7) If you are required by section 11 (*Invoicing*) to furnish the purchaser with an invoice or guarantee, a copy of this invoice or guarantee will satisfy the requirements of subparagraphs (5) and (6) of this paragraph (c).

(d) *Freight rates.* If you are a retail seller who purchases or acquires for resale and not for use, you must also prepare and preserve a record of the carload freight rate from the factories which manufacture the farm equipment you sell, to the branch houses or distribution points from which you customarily purchase farm equipment, and the L. C. L. rail freight rate and the I. C. C. truck rate from these branch houses or distribution points to your place of business.

SEC. 13. *Notice of auction sales.* Each auctioneer must file with the Office of Price Stabilization a written notice of every public or private auction sale of new or used farm equipment at least six days before the sale. This notice must be filed with the proper District Office of the Office of Price Stabilization and shall include the place, date and time of the auction sale, a general description of the farm equipment to be auctioned and a copy of any announcement of the sale.

SEC. 14. *Evasions.* (a) Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

(b) The following are specifically, but not exclusively, among the means and devices prohibited by paragraph (a) of this section and are itemized here only to lessen the frequency of interpretative inquiries which experience indicates are likely to be made in this industry under the general evasion provisions:

(1) Paying, or requiring the payment of, a purchase commission, if the sum of the commission and the purchase price exceeds the ceiling price.

(2) Entering into a joint venture with any other person subject to this regula-

tion for cross-selling, cross-purchasing or cross-servicing.

(3) Requiring a purchaser to buy any commodity or service as the condition of the sale of a commodity covered by this regulation.

(4) Reducing the period of any guaranty or warranty of performance in effect during the period April 1 through June 24, 1950.

(5) Eliminating or reducing any delivery, maintenance, repair, replacement, or installation service in effect during the period April 1 through June 24, 1950.

(6) Granting less than a reasonable allowance for commodities received in trade.

(7) Eliminating or reducing rental or trade-in credits or purchases.

(8) Selling or negotiating the sale of any commodity with the understanding that the purchase carries either an option to purchase, or a gift of, an item of farm equipment.

(9) Selling at auction any commodity with an understanding, expressed or implied, that the purchaser will be given any commodity covered by this regulation or an option to purchase, at ceiling price, any commodity covered by this regulation.

SEC. 15. *Interpretations.* If you have any doubt as to the meaning of this regulation, you should write to the District Counsel of the proper OPS District Office for an interpretation. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, as revised.

SEC. 16. *Charges lower than ceiling prices.* Lower prices than those established under this regulation may be charged, demanded, paid or offered.

SEC. 17. *Prohibitions.* (a) You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling price established by this regulation. If you violate any provisions of this regulation you are subject to criminal penalties, enforcement action, and action for damages.

(b) If any person subject to this regulation fails to keep the records or file the reports required by this regulation, or if any person subject to this regulation fails to establish a ceiling price or apply to the Office of Price Stabilization for the establishment of a ceiling price, if he is required to do so, the Director of Price Stabilization may issue an order fixing ceiling prices for the commodities such person sells. Any ceiling price fixed in this manner will be in line with ceiling prices established by this regulation. The order fixing the ceiling price may apply to all deliveries or transfers for which a ceiling price was not estab-

lished in accordance with the provisions of this regulation, including deliveries or transfers completed prior to the date of issuance of the order. The issuance of such an order will not relieve the seller of his obligation to comply with the requirements of this regulation or of the various penalties for failure to do so.

Sec. 18. Definitions.—(a) *Commodity.* This term includes any item, object, material, article, product or supply.

(b) *Commodity of the same type.* This term refers to a commodity which is one of a group of closely related commodities which are normally classed together in your industry for pricing purposes and on which you receive the same discounts from the manufacturer's list prices. A commodity of the same type may differ in such respects as model, size, or brand or trade name.

(c) *Complete farm equipment.* This term means any item of farm equipment which is a complete unit in itself even though this unit may be used only in conjunction with other farm equipment, for example, tractor-mounted cultivator. This term also includes any attachments for complete farm equipment, for example, windrow pickup attachments.

(d) *Current published list price.* This term means the manufacturer's list price for a commodity covered by this regulation which is in effect at the time a sale is made. If a particular item is no longer being manufactured, its current published list price is the last list price for that commodity issued by the manufacturer.

(e) *Delivered.* A commodity is deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

(f) *Delivered cost.* This term means the net invoice cost of the commodity to you, plus any separately stated charges for inbound transportation costs for the commodity which are paid by you. If, during the period April 1 through June 24, 1950, you had in effect a method for averaging transportation costs, you shall continue to use that method of averaging transportation costs.

(g) *Director of Price Stabilization.* This term also applies to any official (including officials of Regional or District Offices) to whom the Director of Price Stabilization, by order, delegates a function, power or authority referred to in this regulation.

(h) *Farm equipment.* This term means any mechanical equipment, attachment or part used primarily in connection with the production and farm processing for market and farm use of agricultural products, and also the categories of non-mechanical equipment, attachments and parts included in the partial list of farm equipment mentioned below. The term "farm equipment" does not include automobiles, trucks, general purpose tools, hardware items, harness, hand tools (hoes, rakes, pitchforks, shovels, hand-propelled lawn and garden implements, etc.), prefabricated farm buildings, silos, grain bins, building materials, electrical equipment (except electrically motivated farm equipment

and fence controllers), lawn mowers, sprays or other chemicals, commercial processing machinery, livestock, seeds, foods or any other agricultural products. A partial list of "farm equipment" follows: farm tractors; garden tractors; planting, seeding and fertilizing machinery; plows and listers; harrows; rollers, pulverizers and stalk cutters; cultivators and weeder; harvesting machinery (combines, binders, pickers, potato diggers, pea and bean harvesters, beet lifters, etc.); haying machinery (mowers, rakes, hay loaders, stackers, balers, etc.); manure loaders; dairy farm equipment (milking machines, farm milk coolers (except mechanically refrigerated milk coolers, milk shipping containers, milk strainers and filter cloths), farm cream separators, manure carriers, barn cleaners, etc.); poultry farm equipment (incubators, brooders, feeders, waterers, etc.); bee keepers' equipment; agricultural spraying and dusting equipment; weed burners for farm use; barn and barnyard equipment; mechanical hog feeders; ironed singletrees, doubletrees and neck yokes; electrical fence controllers; farm water pumps and water systems; irrigation systems and equipment for farm use; windmills; windmill generating sets; portable farm grain elevators; wood slat corn cribbing woven with wire; woodsawing machines intended for farm use; machines for farm processing for market or farm use (farm size cane mills, cider mills, corn shellers, corn huskers and shredders, ensilage cutters, feed cutters, feed grinders and crushers, fruit presses, grain cleaners and graders, grain threshers, hammer mills, hay presses, peanut pickers, potato sorters and graders, syrup evaporators, etc.); farm wagons; and attachments and parts for all the foregoing.

(i) *Farm equipment repair parts.* This term means any component part of complete farm equipment other than attachments.

(j) *Net invoice cost.* This term refers to your invoice cost, less any discount or allowance you took or could have taken. It does not include separately stated charges, such as freight, taxes, etc.

(k) *OPS.* OPS means the Office of Price Stabilization.

(l) *Person.* This term includes an individual, corporation, partnership, association, or any other organized group of persons, or legal successors or representatives of the foregoing, and the United States, or any other government, or their political subdivisions or agencies.

(m) *Reconditioned and guaranteed.* This term is defined in section 6 (e) (1).

(n) *Records.* This term means books, or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, records of purchases, bills of lading, and other papers and documents.

(o) *Retail seller.* A retail seller is any person who acquires or purchases farm equipment or farm equipment repair parts for the purpose of resale and sells these items to the ultimate user of these items, or any person who purchases or acquires these items for use but in fact sells them in a new and unused condition.

(p) *Sell.* This term includes sell, supply (with respect to either commodities

or services), dispose, barter, exchange, transfer and deliver, and contract and offer to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

(q) *Service dealer.* A "service dealer" is any person who is engaged in the business of selling new and used farm equipment, and who, in addition thereto, is engaged in the business of repairing and maintaining farm equipment.

(r) *Used complete farm equipment.* Any item of complete farm equipment shall be considered used when it has been used for any period of time, other than for the purpose of initial testing or demonstrating.

(s) *Used farm equipment repair parts.* Any farm equipment repair part which has been a component part of a used complete item of farm equipment.

(t) *You.* "You" means the person subject to this regulation. "Your" and "yours" shall be construed accordingly.

Effective date. The effective date of this regulation is December 10, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 4, 1951.

APPENDIX A—EXAMPLE OF FORM OF GUARANTEE TO BE FURNISHED TO BUYERS OF RECONDITIONED AND GUARANTEED FARM EQUIPMENT

GUARANTEE

The seller hereby warrants that the machine or equipment described below has been thoroughly inspected and reconditioned and that all parts which should be replaced, repaired, adjusted, or aligned for proper operation have been replaced, repaired, adjusted, or aligned.

The seller guarantees that the machine or equipment described below is in good operating condition, and that it will remain so under normal use and service for a period of forty-five days from the date of delivery. During this forty-five day period the seller agrees to replace and install any defective or missing parts free of charge and to correct free of charge any mechanical condition which prevents the machine or equipment from operating properly.

This guarantee does not extend to tires or tubes or to any repair or replacements made necessary by misuse, negligence, accidents, or collusion.

The seller warrants that the following parts, materials, and labor were needed and actually used in reconditioning the machine or equipment since its last use. This work was started October 2, 1951, and was completed October 4, 1951.

OCTOBER 6, 1951.

PARTS

(1) Set rings.....	\$10.40
(2) 4 spark plugs.....	3.00
(3) Set brake lining with bands.....	5.50
(4) Cylinder head gasket.....	1.65
Total.....	20.55

MATERIALS

(1) Paint.....	1.75
(2) Antifreeze (2 gallons).....	7.00
(3) Oil (6 quarts).....	2.40
(4) Gas (10 gallons).....	2.50
Total.....	13.65

LABOR

25 hours, at \$3.00 per hour:

Total----- 75.00

Total reconditioning----- 109.20

The prices shown do not exceed the undersigned's applicable ceiling prices.

Description of used item:

Make of equipment: A. B. C. Tractor.

Date of Delivery: October 6, 1951.

Model and serial No.: Model XYZ, No. 126549.

Total selling price: \$2,042.50.

JOE DOE IMPLEMENT COMPANY,

JOE DOE, President.

Farmville, Illinois.

[F. R. Doc. 51-14527; Filed, Dec. 4, 1951;
4:00 p. m.]

[Ceiling Price Regulation 101]

CPR 101—CEILING PRICES OF VEAL SOLD AT WHOLESALE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 (15 F. R. 6105), Economic Stabilization Agency General Order 2 (16 F. R. 738), Delegation of Authority by the Secretary of Agriculture to the Economic Stabilization Agency with respect to the Allocation of Meat (16 F. R. 1272) and Economic Stabilization Agency General Order 5 (16 F. R. 1273), this Ceiling Price Regulation 101 is hereby issued.

STATEMENT OF CONSIDERATIONS

This regulation establishes specific ceiling prices for most sales of veal, including calf, at wholesale. It is the fourth major regulation establishing dollars and cents ceilings for meat sold at wholesale. CPR 24 established wholesale dollars and cents ceilings for beef, CPR 74 for pork, and CPR 92 for lamb. With the issuance of this regulation, the Office of Price Stabilization has fixed dollars and cents ceilings at wholesale for all fresh meats.

Veal ranks third among meats in the American diet, being exceeded only by pork and beef in consumer popularity. It is a significant source of cash income to dairymen, livestock producers and farmers. Veal also accounts for a considerable portion of the sales volume and profits of packers and other wholesale distributors.

The price structure. The structure of this regulation is similar to that of the other meat wholesale ceiling price regulations. Article II, sections 20-24, has five schedules listing prices for veal carcasses and various veal cuts. Article IV contains the additions which may be made to those prices in specified circumstances.

The ceiling prices established by this regulation meet the statutory standards of the Defense Production Act of 1950, as amended. Although no ceilings are now being established for live calves, the wholesale veal ceilings provided by this regulation are sufficient to permit packers to pay prices for calves (including vealers) which are not below the legal minima specified in section 402 (d) (3) of the Defense Production Act as amended and still realize a fair and equitable margin on their sales of veal.

In the case of veal the Defense Production Act requires, among other things, that the live calf prices reflected by the ceilings in this regulation be equal to or higher than the parity price or the highest price received by producers during the period from May 24 through June 24, 1950, as determined by the Secretary of Agriculture, whichever is higher. The ceilings for veal at wholesale established by this regulation reflect a price to farmers for live calves which meets this requirement.

The Defense Production Act, as amended, also provides that no ceiling shall be established for any agricultural commodity below 90 percent of the price received (by grade) by producers on May 19, 1951, as determined by the Secretary of Agriculture. This is known as the Fugate amendment and requires reflection of a price substantially in excess of parity. The live calf prices (by grade) reflected by the ceiling prices in this regulation meet the minima determined by the Secretary of Agriculture under the Fugate amendment.

A further minimum price requirement had to be considered under the Defense Production Act of 1950, as amended, in setting ceiling prices for veal. The Capehart amendment to the Act requires that no ceiling be established which is below the lowest of either the price prevailing before the issuance of a regulation or the price prevailing during the period January 25, 1951, through February 24, 1951, or the highest price between January 1, 1950, and June 24, 1950, adjusted for increases and decreases in costs occurring after the date when such highest price was received and prior to July 26, 1951. The ceiling prices established by this regulation are at or above the levels prevailing in the period January 25-February 24, 1951 and accordingly comply with the Capehart amendment.

Finally the ceiling prices fixed by this regulation provide slaughterers a fair and equitable margin not only over the legal minima for calves prescribed under section 402 (d) (3) but also over any actual price for live calves which may now be reasonably anticipated. In determining such margin, the Office of Price Stabilization has collected and analyzed data on packers' operating costs and margins, on percentage yields of meat derived from calves and on realization from by-products including hides.

As in the case of the pork and lamb regulations, this regulation is not accompanied by controls on live animals. However, a study is being made of the best method of controlling prices of calves as well as of lambs and ceilings will be placed on sales of those animals if that should prove necessary.

Price relationships—(1) *Hide-on and hide-off carcasses.* The prices of carcasses have been established at a level which meets statutory standards. The price differential between hide-on carcasses and hide-off carcasses reflects the value of the hide or skin. The price relationship between various weight ranges of hide-on carcasses is based upon the variance in the value of the skin. Skins from vealers and calves fall into three

general categories, namely, calf skins, kips and ex-light native hides. Calf skins weigh less than 15 pounds. Kips weigh between 15 and 30 pounds. Ex-light native hides are the heavier skins. The lightest weight skins generally bring the highest price per pound. Thus heavier hide-on carcasses, grade for grade, have a lower value per hundred pounds than do the lighter carcasses.

In light of this fact, different ceiling prices have been established for three weight ranges of hide-on carcasses. In general the calf skins are derived from carcasses in the lightest weight range, kips from the middle weight range and ex-light native hides from the heaviest weight range. These three ceilings reflect approximately the current market value for calf skins, kips and ex-light native hides, respectively. If there is a substantial change in the market value of calf skins or hides, this regulation will be amended to reflect such changes.

(2) *Cuts.* The price relationships among the primal cuts and between primal cut prices and other veal cut prices have been determined by methods comparable to those set forth in the statements accompanying CPR 24, CPR 74 and CPR 92. They are based on industry consultations, independent cutting tests and analyses of data showing normal price differentials between such cuts and consideration of the factors which determine those differentials.

(3) *Grades.* Price relationships between grades have been determined on the basis of several considerations. In addition to the general statutory standards referred to above, two other major factors were taken into account.

The first of these is the traditional price spreads between veal of varying grades or qualities. The second is the desirability of preserving as far as possible prices for comparable grades of veal and beef at the same levels. Because of certain similar physical characteristics between veal and beef, there would be obvious advantages in having veal prices the same as beef prices as a means of minimizing any incentive to evasion by substitution of one meat for the other.

As far as practicable, the ceiling prices of veal are the same as the ceiling prices for the corresponding grades of beef. In order to simplify controls and on the advice of the Veal Industry Advisory Committee a single price has been set for both prime and choice grades of veal.

In determining fair ceilings for utility grade veal, the historic beef-veal relationship was preserved as far as possible. The prices for cull grade veal have customarily been closely related to the price of veal trimmings. The prices for cutter and canner grade beef have customarily been closely related to the price of boneless processing beef. Boneless processing beef has generally commanded a higher price than veal trimmings. Thus it would have been impracticable to fix the same ceilings for cull grade veal as for cutter and canner beef without seriously distorting their normal relationship.

Standardization of cuts and grades. This regulation standardizes cuts of veal and prohibits, except for specialty veal

products, the sale of non-standardized cuts. The standards permit the sale of substantially all recognized veal products traditionally sold in the industry. The reasons for the standardization have already been explained in the statements of considerations accompanying CPR 24 and CPR 74. No practicable alternative exists for securing effective price control of veal.

This regulation also establishes prices on the basis of the uniform grades of the United States Department of Agriculture, the use of which is required by Distribution Regulation 2. Veal, like lamb and beef, varies substantially in quality, and practical considerations require that any system of ceiling prices recognize such differences in quality. The USDA grades for veal are the only available uniform and reasonably objective measure of these differences. Accordingly, no practicable alternative to pricing by standard USDA grades exists for securing effective price control of veal.

The definition of veal. Although the Department of Agriculture has set up specific standards for classifying immature bovine animals as veal or calf, the line of demarcation is difficult to determine, as it depends upon the color and texture of the meat as well as other characteristics.

In light of these considerations, and upon the advice of the Veal Industry Advisory Committee, veal has been defined to include both veal and calf. Thus the prices are identical. Where the meat is federally graded, the decision of the official grader is controlling as to its classification. In those instances where self-grading is allowed, immature bovine animals, weighing 315 pounds or less, skin-on, or 275 pounds or less, skin-off, must be classified as veal or calf. All heavier animals will have to be priced as beef under CPR 24.

Distribution point and zone additions. The main differences between this regulation and the other wholesale meat regulations are the distribution point definition and the zoning concept. The distribution point will determine the applicable zone addition (section 40) and the local delivery addition (section 41). In the other wholesale meat regulations the meat could, in many cases, at the election of the seller, be sold either on an f. o. b. plant basis or on a delivered basis. In this regulation all veal must be sold on an f. o. b. plant or selling establishment basis, with only local delivery charges permitted. This departure from the pattern set in the other meat regulations is due to the zoning system used in this regulation.

Production of calves is not as concentrated as the production of beef cattle, and accordingly the zoning system used in the beef regulation is not easily adaptable to veal. Calf production is spread widely over the United States and covers not only the beef cattle-production areas but also the dairy-producing regions. The calf population is heaviest in these dairy producing regions. It was thought that an appropriate method of assuring the continuation of the normal flow of veal to the heavy consumption

areas was to set up a system using a broad base zone with price differentials for other zones in the country.

After analysis of different zonal patterns and zone differentials, and consultations with the Veal Industry Advisory Committee, the OPS came to the conclusion that, with some minor changes, the best zone system was that used by the Office of Price Administration during World War II. The OPA zones were changed slightly so as to include more of the surplus veal producing areas in the base zone (Zone 4) or, where that was not feasible, to include them as zones close to the base zone. The change in freight rates since World War II also necessitated some slight changes in zone boundaries and increased the amounts allowed as price differentials between the zones.

The purpose of the zone additions permitted by this regulation is to allow slaughterers in the deficit calf production areas to recover the cost of transporting animals from the surplus production areas and to allow packer branch houses and non-slaughtering distributors to recover their cost of bringing in veal carcasses.

The use of this system permits, as closely as is practicable, a single price for veal, by grade, at the wholesale level in each zone. The additions to this price, such as local delivery charges, have been taken into consideration in setting the margins for sellers of veal.

The ceiling price for each grade of veal in this regulation is the price established for the zone in which the selling establishment is located. All freight and icing costs must be borne by the purchaser. This system of f. o. b. pricing, it is believed, will assure the seller of the same price for his veal no matter where the buyer is located. Any temptation to distort normal distribution patterns because of a higher monetary return to the seller in one area, or lower monetary return in other areas, is thus discouraged. However, where veal is delivered to a purchaser a local delivery charge may be added to the zone price. The considerations supporting the local delivery addition are the same as those outlined in the statements accompanying CPR 24, CPR 74 and CPR 92. A higher zone addition is permitted on the sale of fabricated veal cuts than on other veal cuts. This increase is to compensate the fabricator for the cost of transporting the bone and fat portion of the carcass which he removes in cutting and for which no zone addition, as such, is otherwise provided.

Limitation on sale of hide-on carcasses. This regulation prohibits the sale of veal carcasses, hide-on, to retailers or purveyors of meals. The grade can be rolled only on the veal carcass, hide-off. Although some retailers and purveyors in the past may have purchased veal carcasses, hide-on, it is not practical under the existing regulations to have federal graders go to retailing establishments to grade the meat. It is believed that enforcement of this regulation will be facilitated and evasion deterred by a requirement that the grade-rolling be done at the wholesale level rather than at the

retail level. To the limited extent this may require a change in customary business practices, the Director finds it necessary for effective price control.

Kosher veal. The most important area in which kosher veal is consumed lies along the Eastern Seaboard, north of the Potomac River. Large numbers of live calves are shipped into this area for kosher slaughtering. However, calves are also kosher slaughtered in other sections of the country both for consumption locally and for shipment to the East.

An addition is permitted in section 47 (a) (1) and (b) (1) of this regulation to cover the extra cost of kosher slaughtering. This addition may be taken on kosher veal slaughtered anywhere in the United States. However, it may not be taken if the addition in section 48 of this regulation is applicable, since the addition for kosher slaughtering is already reflected in the amount allowed under section 48.

There is an extra expense incurred in preserving the kosher characteristics of veal carcasses in transit more than 72 hours and in the rejections by rabbinical supervisors of a portion of these carcasses because they no longer meet kosher standards upon arrival at their destination. An allowance is made in section 47 (a) (2) and (b) (2) of this regulation to cover these additional costs.

Shipping live calves to the northeastern part of the United States (the portion of Zone 9 north of the Potomac River) for local kosher slaughter entails the loss of carcass weight due to tissue shrink of these immature animals. In addition, there is a substantial number of deaths and condemnations involved in long shipments and the rabbinical supervisors reject a portion of the carcasses after slaughter. The extra expenses, because of the above factors as well as the cost of kosher slaughter, make up the addition allowed in section 48 of this regulation.

The amount of the kosher addition was determined after consideration of various data, including Department of Agriculture quotations, and the results of independent tests and surveys.

Selling additions. Selling additions to the ceiling prices have been permitted for defined classes of non-slaughtering distributors of veal at wholesale. The considerations upon which these additions are based are similar to those set forth in the statements accompanying CPR 24, CPR 74 and CPR 92. However, veal is derived from immature animals and thus is subject to more shrink than beef and is much more perishable. It is also sold customarily in smaller quantities than beef which entails higher handling charges per hundred weight. For these reasons, the additions per hundred weight are somewhat higher than those permitted in CPR 24.

The amount of the additions allowed wholesale distributors other than slaughterers are believed, on the basis of presently available data, to comply with the applicable statutory standards. However, a further study is being made of the margins allowed these sellers and upon completion of this study the mar-

RULES AND REGULATIONS

gins will be revised to the extent necessary.

In formulating this regulation, the Director of Price Stabilization has consulted extensively with industry representatives and has given full consideration to their recommendations. In his judgment, the provisions of this regulation are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that act.

REGULATORY PROVISIONS

ARTICLE I—GENERAL PROVISIONS

Sec.

1. What this regulation does.
2. Where this regulation applies.
3. Ceiling prices for veal.
4. Ceiling prices for certain veal items which are not specifically priced under Section 3.
5. Exempt sales.
6. Adjustment for transportation to critical areas.
7. Election of seller's classification.
8. Import and export sales.
9. Evasion.
10. Records.
11. Reports.
12. (Reserved.)
13. Prohibitions.
14. Enforcement.
15. Petitions for amendment.
16. Interpretations.

ARTICLE II—PRICING SCHEDULES

20. Schedule I—Veal carcasses and wholesale veal cuts.
21. Schedule II—Fabricated veal cuts.
22. Schedule III—Boneless and miscellaneous veal cuts.
23. Schedule IV—Frozen semi-boneless veal (Military Specifications, MIL-V-3063).
24. Schedule V—Veal variety meats and by-products, fresh or frozen.

ARTICLE III—DISTRIBUTION POINT

30. Distribution point.

ARTICLE IV—ADDITIONS

40. Zone addition.
41. Local delivery addition.
42. Wholesaler's addition.
43. Freezing and storage for defense procurement agencies.
44. Wrapping.
45. Packing in shipping containers.
46. Peddler-truck selling addition.
47. Kosher veal from calves slaughtered outside that portion of Zone 9 north of the Potomac River.
48. Kosher veal from calves slaughtered in that portion of Zone 9 north of the Potomac River.
49. Intermediate distributor and packer's branch house additions.

ARTICLE V—GENERAL DEFINITIONS

50. General definitions.

APPENDICES

1. Zone definitions.
2. Veal carcasses and wholesale cut definitions.
3. Boneless and miscellaneous veal cut definitions.
4. Fabricated veal cut definitions.
5. Veal variety meats and edible by-products definitions.
6. Other veal products definitions.
7. Veal cutting charts.
8. Wholesale veal zoning map.

AUTHORITY: Sections 1 to 50 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title I and Title IV, 64 Stat. 799, 803, as amended; 50 U. S. C. App. Sup. 2071-2073, 2101-2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

ARTICLE I—GENERAL PROVISIONS

SECTION 1. What this regulation does. This regulation establishes specific ceiling prices for sales at wholesale of veal, including calf. These ceiling prices supersede those established for veal by the General Ceiling Price Regulation and by letter orders issued under General Overriding Regulation 10 prior to the effective date of this regulation. In addition, this regulation defines and standardizes the veal cuts which you may sell and prohibits the sale of nonstandardized cuts.

SEC. 2. Where this regulation applies. This regulation shall be applicable in the forty-eight states of the United States and the District of Columbia.

SEC. 3. Ceiling prices for veal—(a) Veal carcasses and wholesale cuts. Your ceiling price for each grade of veal carcass or veal wholesale cut is the applicable base price specified in section 20, plus any applicable addition permitted by Article IV.

(b) Fabricated veal cuts. Your ceiling price for each grade of fabricated veal cut is the applicable base price specified in section 21, plus any applicable addition permitted by sections 40 and 41.

(c) Boneless and miscellaneous veal cuts. Your ceiling price for each boneless veal cut or miscellaneous veal cut is the price specified in section 22, plus any applicable addition permitted by sections 41, 42, 45, 46, and 49.

(d) Frozen semi-boneless veal (military specifications). Your ceiling price for frozen semi-boneless veal (military specifications, MIL-V-3063) is the applicable price specified in section 23, plus any applicable addition permitted by sections 41 and 43.

(e) Veal variety meats and by-products. Your ceiling prices for certain veal variety meats and by-products are the applicable base prices specified in section 24, plus any applicable addition permitted by sections 40, 41, 45 and 49.

SEC. 4. Ceiling prices for certain veal items which are not specifically priced under Section 3—(a) Variety meats and edible by-products. If you sell a veal variety meat or a veal by-product which is not included in section 24, your ceiling price is established by the General Ceiling Price Regulation.

(b) Specialty veal products. If you sold a specialty veal product in 1950, your ceiling price for that product is established by the General Ceiling Price Regulation. The producer of this item must, however, file with the Office of Price Stabilization, Food and Restaurant Division, Washington 25, D. C., within 30 days of the effective date of this regulation OPS Public Form 108. If you are a non-processing seller at wholesale of specialty veal products, you must file with the Office of Price Stabilization, Food and Restaurant Division, within 30 days of the effective date of this regulation a statement showing:

- (1) Your name;
- (2) Your business address;
- (3) The type or types of customers to whom you regularly and customarily sell your product;
- (4) Your ceiling prices for each specialty veal product to each type of cus-

tomers under the General Ceiling Price Regulation;

(5) The cost to you of each specialty veal product which you sell.

If you fail to file the form or statement required by this section, you shall not sell specialty veal products without permission in writing from the Director of Price Stabilization. After receipt of this form or statement, the Director of Price Stabilization may issue an order forbidding the producer and the distributors thereof to sell this specialty veal product or may issue an order revising the ceiling prices of the producer and the distributors of this product.

(c) Prefabricated retail cuts. If you are not prohibited by section 13 (c) of this regulation from selling prefabricated retail cuts to a retail selling establishment, whether quick frozen or not, your ceiling prices for sales of such cuts, to such an establishment, are your ceiling prices established by the General Ceiling Price Regulation until the effective date of the ceiling price regulation which is to be issued establishing dollars and cents ceiling prices for retail sales of veal. Thereafter, your ceiling prices for these prefabricated retail cuts shall be 80 percent of the retail ceiling price established for Group 1 and 2 stores by that retail ceiling price regulation for the corresponding grade and type of fresh retail cut applicable in the retail zone area in which the buyer's store is located. In determining this figure, the retail ceiling price shall first be converted to a per hundredweight basis and the result shall be rounded to the nearest 10 cents per hundredweight. The weights for determining such ceiling price shall be the net weight of the prefabricated retail cut indicated on each package. None of the additions in Article IV may be added.

SEC. 5. Exempt sales. The provisions of this regulation shall not apply to:

- (a) Sales at retail;
- (b) Veal items exempted by General Overriding Regulation 7, as amended;
- (c) Sausage;
- (d) Sterile canned meat;
- (e) Sales or deliveries of any veal to a buyer if, prior to the effective date of this regulation, this veal has been received for shipment to such buyer by a carrier other than a carrier owned or controlled by the seller.

SEC. 6. Adjustment for transportation to critical areas. Upon a finding that a critical shortage of meat has occurred in a specific area because customary sources of supply are unavailable and because the established ceiling prices do not contain a sufficient allowance to cover the cost of transporting meat to that area from other sources of supply, the Director of Price Stabilization may by order designate such area as a critical area for such period as he may prescribe, and may in writing authorize you to charge and receive, for veal products sold to buyers in that area, an amount in excess of the applicable ceiling price.

SEC. 7. Election of seller's classification. If you qualify for more than one of the additions provided for in Articles II, and IV, for hotel supply houses, combination distributors, packer branch houses, wholesalers, peddler truck sell-

ers, or intermediate distributors, you must elect which one of these additions you will add through December 31, 1951. This election must be made within 15 days after the effective date of this regulation. Once you have made this election, you are bound by it until after December 31, 1951. You may change your election once after December 31, 1951, and once after June 30, 1952, and once after each successive December 31 and June 30 thereafter. In each instance, after you have made your election, you may not thereafter add any of the additions except the addition which you elected, until you have changed your election in accordance with this section. Each election must be made by notifying your Regional Office of Price Stabilization of your election by a statement in writing. Any change of election must be made between January 1 and 10 or July 1 and 10 of each year and shall become effective five days after you have mailed or delivered the written statement to your Regional Office.

SEC. 8. Import and export sales—(a) Ceiling prices for sales of imported veal. Your ceiling prices for any imported veal are the same as your domestic ceiling prices for such veal. See also sections 10 (d) and 13 (d) of this regulation.

(b) Ceiling prices for export sales of veal. The ceiling prices at which you may export any veal from the forty-eight states of the United States and the District of Columbia to any place outside the forty-eight states of the United States and the District of Columbia shall be your domestic ceiling price for this veal, f. o. b. your place of business, plus any of the following costs you actually incurred incidental to exportation of the veal:

- (1) Cost of transportation to the dock;
- (2) Export packing and freezing costs;
- (3) Demurrage or warehouse charges;
- (4) Ocean freight costs;
- (5) Insurance costs;
- (6) Consular fees; and
- (7) Freight forwarders' fees.

You may not, however, apply any of the additions specified in Article IV of this regulation except the additions set forth in sections 40 and 42, where applicable. See also sections 10 (c) and 13 (e) of this regulation.

SEC. 9. Evasion. (a) Any means or device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, means or devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

(b) The following are specifically, but not exclusively among the means and devices prohibited by paragraph (a) of this section and are itemized here only to lessen the frequency of interpretative inquiries which experience indicates are

likely to be made in this industry under the general evasion provisions:

(1) Falsely or incorrectly grading or invoicing veal.

(2) Buying or receiving kosher veal by or selling or invoicing kosher veal to purchasers who are not bona fide buyers of kosher meat.

(3) Buying or receiving fabricated veal cuts by or selling or invoicing fabricated veal cuts to defense procurement agencies or to retailers other than retailers located outside the continental limits of the United States.

(4) Offering, selling or delivering a veal cut on condition that the buyer purchase another veal cut or any other commodity or service.

(5) Making or receiving a charge for delivery of veal on the basis of a route different from that actually followed and in excess of that permitted for the route by which the veal was actually delivered.

(6) Selling or transferring to a slaughterer title to live vealers or calves by the owner thereof or buying or receiving title to live vealers or calves, by a slaughterer from the owner thereof, on condition, or with any understanding or agreement, that dressed carcasses or wholesale cuts derived from such vealers or calves, or from other vealers or calves, be sold or delivered to any designated person. However, this prohibition shall not apply to the sale or transfer of title to vealers or calves certified to be club vealers or calves.

(7) Charging, paying, billing, or receiving any consideration for any service in connection with the sale or purchase of veal for which a specific allowance has not been provided in this regulation.

(8) Buying or receiving back at less than the established ceiling price any hide, veal cut or other product or by-product derived from a veal or calf carcass which you have sold.

(c) The following payments shall not be construed as evasions of this regulation if made under the following conditions:

(1) A payment of not to exceed 17½ cents per cwt. in excess of the ceiling prices fixed by this regulation, if paid by a buyer to a broker who had, prior to the effective date of this regulation, rendered services as a broker, for services rendered by the broker to the buyer if the broker has no business affiliation with the seller.

(2) A payment by the buyer to a seller for icing services performed by the seller before delivery of any veal to a carrier, if the carrier's freight charges are paid directly by the buyer and if the amount paid for such icing services does not exceed the actual commercial rates for such icing services.

(3) Where the transportation charges are paid by the seller to the carrier, a payment by a buyer to a seller of the buyer's proportion of that transportation charge, if such payment appears on the seller's invoice as a separate item.

SEC. 10. Records—(a) Records which must be preserved. On or after the effective date of this regulation, each of you who sells or transfers any veal shall make and preserve, and each of you who,

in the course of trade or business, buys or receives any veal shall preserve for inspection by the Office of Price Stabilization for a period of two years complete and accurate records of each such sale, transfer, purchase, or receipt showing:

(1) The date thereof;

(2) The names and addresses of the parties taking part in the transaction and the class of buyer and seller, i.e., retailer (R), purveyor of meals (PM), wholesaler (W), combination distributor (CD), hotel supply house (HSH), peddler truck seller (P), intermediate distributor (ID), packer's branch house (PBH), or ship supplier (SS). If you are a slaughterer, you need not show class of seller designation and you need not show the designation (R) on sales to retailers.

(3) The type, cut and grade, using the designations listed in this regulation, and the weight of all veal sold, transferred, delivered or purchased, received or acquired;

(4) The price charged, received, or paid therefor.

You shall also continue to preserve all records required to be preserved by section 16 of the General Ceiling Price Regulation.¹

All records required to be preserved under this section 10 may after the expiration of 90 days after the date of the transaction to which they relate be transferred to and preserved on microfilm.

(b) Records which must accompany deliveries. (1) Except as provided in

¹ The portions of the General Ceiling Price Regulation here referred to applicable to you, are as follows:

SEC. 16 (a) Base period records. (1) You must preserve and keep available for examination by the Director of Price Stabilization those records in your possession, showing the prices charged by you for the commodities or services which you delivered or offered to deliver during the base period.

(2) In addition, on or before March 22, 1951, you must prepare and preserve a statement showing the categories of commodities in which you made deliveries and offers for delivery during the base period.

(3) On or before March 22, 1951, you must also prepare and preserve a ceiling price list, showing the commodities in each category (listing each model, type, style, and kind), or the services, delivered or offered for delivery by you during the base period together with a description or identification of each such commodity or service and a statement of the ceiling price. Your ceiling price list may refer to an attached price list or catalogue.

(4) You must also prepare and preserve a statement of your customary price differentials for terms and conditions of sale and classes of purchasers, which you had in effect during the base period.

(b) Current records. If you sell commodities or services covered by this regulation you must prepare and keep available for examination by the Director of Price Stabilization for a period of two years, records of the kind which you customarily keep showing the prices which you charge for the commodities or services. In addition, you must prepare and preserve records indicating clearly the basis upon which you have determined the ceiling price for any commodities or services not delivered by you or offered for delivery during the base period.

"Base period" as used in section 16 of the General Ceiling Price Regulation means December 19, 1950, to January 25, 1951, inclusive.

section 10 (b) (2), (3), and (4), each of you who sells, transfers, or delivers any veal shall furnish to the buyer at the time of delivery a written statement showing the information set forth in section 10 (a).

(2) You shall send with each shipment, other than a C. O. D. shipment, a copy of the written statement referred to in paragraph (a) of this section. However, the portion of the statement with respect to the price charged, received, or paid therefor, may be omitted but (i) such portion must be mailed to the buyer within 24 hours after the shipment left your plant, or, (ii) if it has been your customary practice to send invoices weekly, such portion must be mailed to the buyer within 7 days of the shipment.

(3) Where the shipment made constitutes the entire content of a common carrier freight car or truck, a copy of the statement referred to in section 10 (a) shall be posted in the freight car or truck near or on the door. Where the shipment made constitutes only a part of the content of a common carrier freight car or truck, or where it is made by vehicle other than a common carrier, the copy shall be securely attached in a conspicuous place to one of the items included within the shipment, or it shall be given to and carried by the driver and he shall be authorized to display it to any enforcement officer on request.

(4) If you transfer any veal which constitutes the entire content of a vehicle to a business establishment or warehouse controlled or operated by you, you shall send with each vehicle making such transfer, a statement showing the name and address of the owner, the point of destination and that the veal is not being transferred to a buyer in connection with a sale. The transfer must be identified in the same manner as required in subparagraph (3) of this paragraph.

(c) *Records of exported veal.* You shall make and preserve the records required by section 10 (a) and you shall also separately list any of the actual costs incurred and charged under paragraphs (1) through (7) of section 8 (b). You shall furnish the buyer a written statement showing all this information.

(d) *Records of imported veal.* Each of you who purchases, directly or indirectly, veal outside the forty-eight states of the United States and the District of Columbia and imports the veal into the continental United States, shall make and preserve for a period of two years the records required in section 10 (a) of this regulation; and you shall also make and preserve records for a period of two years showing any of the actual costs listed in items (i) through (viii) of section 13 (d) (1) which you incurred.

SEC. 11. Reports.—(a) *Kosher slaughter located in Zone 9.* If you Kosher slaughter vealers or calves in a slaughtering plant or plants located in that portion of Zone 9 north of the Potomac River, you shall file with the Office of Price Stabilization, Food and Restaurant Division, Washington, D. C., a true copy of the abattoir stamp together with the name and address of the slaughtering

plant at which such abattoir stamp is used. If you have filed a true copy of your abattoir stamp with the Office of Price Stabilization, Washington, D. C., pursuant to section 10 (a) of Ceiling Price Regulation 24 or section 10 (a), CPR 92, you need not file under this section. You shall not charge the additions in section 48 of this regulation until you have submitted this report.

(b) *Other reports.* For other reports required by this regulation, see sections 4 (b), 7, 21, (a), 21 (b), 23, 42 (a), 42 (b), 46 (c), 49 (a), and 50 (u) (4). If you have filed under CPR 24, CPR 74 or CPR 92, the same information contained in the reports required under sections 7, 21 (a), 21 (b), 42 (a), 46 (c), 49 (a), and 50 (u) (4) of this regulation, you need not file again under these sections. You shall retain for the purpose of this regulation the same classification as established for you under CPR 24, CPR 74 or CPR 92.

SEC. 12. (Reserved.)

SEC. 13. Prohibitions.—(a) *General prohibition.* You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts.

(b) *Selling at prices above ceiling.* Specifically, (but not in limitation of the above), and regardless of any contract, agreement or other obligation (1) you shall not sell or deliver any veal at a price higher than the ceiling price established by this regulation, (2) you shall not buy or receive in the regular course of trade or business any veal at a price higher than the ceiling price established by this regulation, and (3) you shall not agree, offer, solicit or attempt to do any of the foregoing. You may, however, charge, demand, pay or offer lower prices for veal products than are established by this regulation.

(c) *Selling other than defined cuts.* Regardless of any contract, agreement or other obligation, except for veal the ceiling price of which is controlled by section 4, you shall not sell or deliver and you shall not buy or receive in the regular course of trade or business any veal or any part or portion thereof unless such veal is listed in Appendices 2 through 6, inclusive. Moreover, you shall not sell any prefabricated retail cut to a retail selling establishment unless (1) you have customarily sold retail cuts to such establishment, (2) the retailer requests you in writing to continue to sell him prefabricated retail cuts, and (3) you do not sell that retailer any of the veal products listed in Appendix 2.

(d) *Importation at prices above ceiling.* Regardless of any contract, agreement or other obligation, you shall not, by direct or indirect methods, import into the forty-eight states of the United States or the District of Columbia from a foreign country any veal purchased by you, directly or through any agent, or through a foreign or domestic corporation affiliated with you, or any foreign or domestic subsidiary thereof, if this veal has a landed cost higher than the domestic ceiling price at the point of consignment.

(1) The landed cost shall mean the amount you paid for the veal, directly

or indirectly, plus the following expenses actually incurred by or for you:

- (i) Transportation costs to the point of consignment;
- (ii) Customs duties or other import taxes;
- (iii) Other commodity taxes;
- (iv) Dock charges;
- (v) Clearance;
- (vi) Insurance;
- (vii) Letter of credit expenses; and
- (viii) Any customary buying commission to a purchasing agent outside continental United States.

(2) The domestic ceiling price at the point of consignment shall mean the lowest price established in Article II for this veal when sold by a slaughterer plus the zone addition, where applicable, at the point to which the shipment is consigned. In computing this price, the point to which the shipment is consigned shall determine the zone addition and none of the additions provided in Sections 41 through 49, inclusive, may be added.

(e) *Exportation at prices above ceiling.* Regardless of any contract, agreement or other obligation, you shall not, by direct or indirect methods, export from the forty-eight states of the United States or the District of Columbia to any place outside the forty-eight states of the United States and the District of Columbia any veal at a price higher than the ceiling price for such veal specified in section 8 (b) of this regulation.

(f) *Selling without proper invoice.* (1) If the invoice or other record relating to any sale or receipt by you of veal, other than a fabricated cut, does not show the class of seller or the class of buyer (as required by sections 10 (a) (2) and 10 (b) of this regulation) you shall not charge and receive and the buyer may not pay more than the applicable price listed in the appropriate schedule and you may not add any additions other than the addition in section 40. If a fabricated cut is sold or received and the class of buyer and seller is not designated on the invoice or other record relating thereto, you may not charge or receive and the buyer may not pay more than the price for that cut listed in Schedule II (d) and you may not add any additions other than the addition in section 40.

(2) If the invoice or other record relating to any sale or receipt by you of any veal does not show the cut of veal sold or transferred (as required by sections 10 (a) (3) and 10 (b) of this regulation) you shall not charge or receive and the buyer may not pay more than the applicable ceiling price for fore-shanks.

(3) If the invoice or other record relating to any sale or receipt by you of any veal does not show the grade of the veal sold, transferred and delivered (as required by sections 10 (a) (3) and 10 (b) of this regulation) you shall not charge and receive and the buyer may not pay more than the ceiling price for the lowest grade of such veal listed in the applicable section or schedule of Article II.

SEC. 14. Enforcement. On or after the effective date of this regulation, if you violate any provision of this regulation, or any order issued pursuant to it,

you are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided for by the Defense Production Act of 1950, as amended. Also, any person who, in the course of trade or business, buys from you at a price higher than your ceiling price is subject to the criminal penalties and civil enforcement actions provided for by that Act.

SEC. 15. Petition for amendment. If you seek an amendment of any provision of this regulation, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1, Revised, issued by the Office of Price Stabilization.

(All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately.)

SCHEDULE I (a)—HIDE-ON VEAL CARCASSES (WHOLE CARCASSES ONLY)

	Prices by grade				
	Prime and choice	Good	Commercial	Utility	Cull
1. Veal carcass (hide-on):					
(a) Under 150 pounds (hide-on).....	\$50.70	\$49.00	\$44.60	\$40.00	\$35.40
(b) 150 to 300 pounds (hide-on).....	50.40	48.60	44.30	40.30	35.20
(c) Over 300 pounds (hide-on).....	50.00	48.20	43.90	40.00	34.90

SCHEDULE I (b)—HIDE-OFF VEAL CARCASSES AND WHOLESALE VEAL CUTS

	Prices by grade				
	Prime and choice	Good	Commercial	Utility	Cull
1. Veal carcass or side (hide-off).....	\$55.50	\$53.50	\$48.50	\$44.00	\$38.00
2. Foresaddle or forequarter.....	46.90	44.90	39.30	34.00	29.00
3. Hindsaddle or hindquarter.....	64.40	62.40	58.00	51.30	44.00
4. Hotel rack or rib.....	62.00	58.50	42.90	32.30	25.00
5. Shoulder.....	49.70	47.00	42.80	37.70	31.60
6. Foreshank.....	30.00	30.00	29.00	28.00	25.00
7. Breast.....	38.70	38.00	35.00	31.60	28.00
8. Leg (long leg).....	65.50	63.70	59.70	55.90	50.20
9. Loin, regular (short loin).....	62.60	59.70	53.50	50.20	45.00
10. Round (or short leg).....	66.50	65.00	61.50	58.00	50.80
11. Full loin.....	63.00	60.40	54.90	50.80	45.00
12. Back.....	62.30	59.10	48.20	41.30	35.00

SPECIAL ADJUSTMENTS FOR SCHEDULE I

- Hide-on carcasses may not be sold to retailers or purveyors of meals.
- If any veal carcass or wholesale veal cut is not cut in accordance with the specifications prescribed in Appendix 2, you may not sell such cut above the ceiling price prescribed for foreshanks of utility grade.
- If any veal carcass or wholesale veal cut does not clearly bear a correct grade mark, you shall not sell the cut above the ceiling price prescribed for the corresponding carcass or wholesale veal cut of the lowest grade.
- You may add only the additions in sections 40, 41, 42, 47 and 49 to the prices listed above in Schedule I (a). You may add any of the applicable additions in sections 40 through 49, inclusive, to the prices listed above in Schedule I (b).
- If you are a hotel supply house, you may add \$1.50 per cwt. to the prices listed above in Schedule I (b), except on sales to purveyors of meals in which case you may add \$5.00 per cwt. If you are a ship supplier you may add \$5.00 per cwt. to the prices listed above in Schedule I (b) on sales to ship operators.
- If you are a combination distributor not affiliated with a slaughterer, you may add to the prices listed above in Schedule

SEC. 16. Interpretations. If you have any doubt as to the meaning of this regulation, you should write to the District Counsel of the proper OPS District Office for an interpretation. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation 1, Revised.

ARTICLE II—PRICING SCHEDULES

SEC. 20. Veal carcasses and wholesale veal cuts.

(All prices are on a per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 49, inclusive.)

	Prices by grade			
	Choice and Prime	Good	Commercial	Utility
1. Leg (oven prepared).....	\$101.20	\$98.30	\$92.00	\$85.90
2. Leg (boneless).....	112.80	109.60	102.60	95.90
3. Leg (boned, rolled and tied).....	114.70	111.40	104.10	97.10
4. Loin (trimmed).....	112.60	106.40	93.10	86.00
5. Loin steaks.....	136.10	128.40	112.10	103.40
6. Hotel rack (chine removed, blade bone out).....	86.20	81.40	59.60	44.80
7. Rib-chops.....	87.30	82.30	60.30	45.30
8. Shoulder (boneless).....	82.50	77.90	70.90	62.30
9. Shoulder (boned, rolled and tied).....	87.80	82.50	74.20	64.20
10. Shoulder (boneless stew).....	83.00	78.40	71.40	62.80
11. Breast (with pocket).....	45.60	45.60	42.00	37.90
12. Breast stew (bone in).....	45.60	45.60	42.00	37.90
13. Shank meat (boneless).....	65.60	65.60	63.40	61.10

SPECIAL ADJUSTMENTS FOR SCHEDULE II (a)

(1) If you sell to a ship supplier, hotel supply house, combination distributor, peddler or processor, you must sell at or below the prices specified in Section 21 (d).

(2) You may add to the prices listed above the actual cost of dry icing, if performed, but in no event more than \$1.00 per cwt.

(b) Schedule II (b). *Sales of fabricated veal cuts by a combination distributor or a peddler truck seller to purveyors of meals.* No combination distributor shall make sales to purveyors of meals until such selling establishment shall have filed a statement, in duplicate, with the appropriate Regional Office of the Office of Price Stabilization showing: (1) the total volume by weight of all meats including sausage, variety meats, and edible by-products, sold or delivered by it during 1950, excluding sales to defense procurement agencies; (2) the total volume by weight of all meats, including sausage, variety meats, and edible by-products, sold or delivered by it during 1950 to purveyors of meals; (3) the percentage obtained by dividing the figure derived in (2) by the figure derived in (1).

No peddler truck seller shall make sales to purveyors of meals until such seller shall have filed the report specified in Section 46 of this regulation.

(All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 49, inclusive.)

	Prices by grade			
	Choice and Prime	Good	Commercial	Utility
1. Leg (oven prepared).....	\$96.90	\$94.10	\$88.00	\$82.20
2. Leg (boneless).....	108.00	104.90	98.20	91.70
3. Leg (boned, rolled and tied).....	109.70	106.60	99.60	92.90
4. Loin (trimmed).....	107.00	101.00	88.30	81.50
5. Loin steaks.....	129.20	121.90	106.20	97.90
6. Hotel rack (chine removed, blade bone out).....	82.60	77.80	57.10	42.90
7. Rib-chops.....	83.60	78.90	57.80	43.40
8. Shoulder (boneless).....	79.00	74.60	67.90	59.70
9. Shoulder (boned, rolled and tied).....	83.80	78.70	70.70	61.10
10. Shoulder (boneless stew).....	79.50	75.10	68.40	60.20
11. Breast (with pocket).....	43.70	43.70	40.30	36.30
12. Breast stew (bone in).....	43.70	43.70	40.30	36.30
13. Shank meat (boneless).....	62.80	62.80	60.70	58.50

I (b) \$4.00 per cwt. on sales to purveyors of meals and \$2.00 per cwt. on sales to all other buyers. If you are a combination distributor affiliated with a slaughterer, you may add \$4.00 per cwt. to the prices listed above in Schedule I (b) on sales to purveyors of meals only.

7. On sales to defense procurement agencies you may add \$0.50 per cwt. to the prices listed above in Schedule I (b).

SEC. 21. Schedule II. Fabricated veal cuts—(a) Schedule II (a). Sales of fabricated veal cuts by a hotel supply house to purveyors of meals or sales by a ship supplier to ship operators. No hotel supply house shall make sales to purveyors of meals until such selling establishment shall have filed a statement, in duplicate, with the appropriate Regional Office of the Office of Price Stabilization showing: (1) the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it during 1950, excluding sales to defense procurement agencies; (2) the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it during 1950 to purveyors of meals; (3) the percentage obtained by dividing the figure derived in (2) by the figure derived in (1).

RULES AND REGULATIONS

SPECIAL ADJUSTMENTS FOR SCHEDULE II (b)

(1) If you sell to a ship supplier, hotel supply house, combination distributor, peddler or processor, you must sell at or below the prices specified in section 21 (d).

(2) You may add to the prices listed above the actual cost of dry icing, if performed, but in no event more than \$1.00 per cwt.

(c) Schedule II (c). Sales of fabricated cuts by all other sellers to purveyors of meals.

(All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 49, inclusive.)

	Prices by grade			
	Choice and Prime	Good	Commercial	Utility
1. Leg (oven prepared).....	\$92.50	\$89.00	\$84.10	\$78.50
2. Leg (boneless).....	103.20	100.30	93.80	87.60
3. Leg (boned, rolled and tied).....	104.70	101.70	95.00	88.60
4. Loin (trimmed).....	101.40	95.70	83.50	77.00
5. Loin steaks.....	122.30	115.30	100.30	92.30
6. Hotel rack (chine removed, blade bone out).....	79.00	74.60	54.60	41.00
7. Rib-chops.....	79.80	75.40	55.20	41.50
8. Shoulder (boneless).....	75.50	74.30	64.90	57.00
9. Shoulder (boned, rolled and tied).....	79.70	74.30	67.20	58.00
10. Shoulder (boneless stew).....	76.00	71.80	65.40	57.50
11. Breast (with pocket).....	41.80	41.90	33.50	34.80
12. Breast stew (bone-in).....	41.80	41.90	33.50	34.80
13. Shank meat (boneless).....	60.00	60.00	57.90	55.90

(d) Schedule II (d). (1) Sales of fabricated cuts to hotel supply houses, and combination distributors by all sellers, other than packing or slaughtering plants and packer branch houses; and (2) Sales of fabricated cuts to processors and peddler truck sellers by all sellers, including packing or slaughtering plants and packer branch houses; and (3) Sales of fabricated cuts to retailers located outside of the continental limits of the United States.

(All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. The prices set forth herein include the cost of packaging, boxing, and freezing. You may not add the additions set forth in sections 42 through 49, inclusive.)

	Prices by grade			
	Choice and Prime	Good	Commercial	Utility
1. Leg (oven prepared).....	\$88.20	\$85.70	\$80.10	\$74.80
2. Leg (boneless).....	98.40	95.60	89.40	83.50
3. Leg (boned, rolled and tied).....	99.70	96.80	90.40	84.40
4. Loin (trimmed).....	95.80	90.40	78.80	72.60
5. Loin steaks.....	115.40	108.70	94.40	86.80
6. Hotel rack (chine removed, blade bone out).....	75.40	71.10	52.10	39.20
7. Rib-chops.....	76.30	72.00	52.70	39.60
8. Shoulder (boneless).....	72.00	68.10	61.90	54.40
9. Shoulder (boned, rolled and tied).....	75.60	71.00	63.70	54.90
10. Shoulder (boneless stew).....	72.50	68.60	62.40	54.90
11. Breast (with pocket).....	39.90	39.90	36.80	33.20
12. Breast stew (bone-in).....	39.90	39.90	36.80	33.20
13. Shank meat (boneless).....	57.20	57.20	55.20	53.30

SEC. 22. Schedule III. Boneless and miscellaneous veal cuts.

(All prices are on a dollars per cwt. basis (fresh or frozen), for the zone in which your distribution point is located. The price for any fraction of a cwt. shall be reduced proportionately. You may not add the additions set forth in sections 40, 43, 44, 47 and 48.)

	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
1. Boneless leg or round.....	\$76.40	\$74.90	\$74.10	\$72.50	\$73.30	\$74.10	\$74.90	\$75.60	\$76.40	\$77.20
2. Boneless sirloin strip.....	85.90	84.40	83.60	82.00	82.80	83.60	84.40	85.10	85.90	86.70
3. Tenderloin.....	85.90	84.40	83.60	82.00	82.80	83.60	84.40	85.10	85.90	86.70
4. Boneless regular (rib) roll.....	85.90	84.40	83.60	82.00	82.80	83.60	84.40	85.10	85.90	86.70
5. Boneless shoulder clod.....	68.40	66.90	66.10	64.50	65.30	66.10	66.90	67.60	68.40	69.20
6. Veal trimmings.....	56.90	55.40	54.60	53.00	53.80	54.60	55.40	56.10	56.90	57.70
7. Neck bones.....	12.50	11.50	11.00	10.00	10.50	11.00	11.50	12.00	12.50	13.00
8. Oven prepared leg (center bone leg).....	69.20	67.70	66.90	65.30	66.10	66.90	67.70	68.40	69.20	70.00

SPECIAL ADDITIONS FOR SCHEDULE III

(1) If you are a hotel supply house, you may add \$1.50 per cwt. to the prices listed above, except on sales to purveyors of meals in which case you may add \$5.00 per cwt. If you are a ship supplier, you may add \$5.00 per cwt. to the prices listed above on sales to ship operators.

(2) If you are a combination distributor not affiliated with a slaughterer, you

may add to the prices listed above \$4.00 per cwt. on sales to purveyors of meals and \$2.00 per cwt. on sales to all other buyers. If you are a combination distributor affiliated with a slaughterer, you may add \$4.00 per cwt. to the prices listed above on sales to purveyors of meals only.

SEC. 23. Schedule IV. Frozen semi-boneless veal (military specifications, MIL-V-3063).

(All prices are on a dollars per cwt. basis for the zone in which your distribution point is located. The price for any fraction of a cwt. shall be reduced proportionately. You may add the applicable additions set forth in sections 41, and 43. No addition may be taken for boxing or other supplies.)

Grades	Zone 1	Zone 2	Zone 3	Zone 4	Zone 5	Zone 6	Zone 7	Zone 8	Zone 9	Zone 10
Prime and Choice.....	\$99.70	\$98.40	\$97.80	\$96.40	\$97.10	\$97.80	\$98.40	\$99.10	\$99.70	\$100.40
Good.....	95.60	94.30	93.60	92.30	93.00	93.60	94.30	95.00	95.60	96.20
Commercial.....	85.30	84.00	83.30	82.00	82.70	83.30	84.00	84.70	85.30	86.00

SPECIAL ADJUSTMENTS FOR SCHEDULE IV

(1) If you are not a slaughterer, you may add \$1.50 per cwt. to the prices listed above if you made deliveries of frozen, semi-boneless veal (military specifications, MIL-V-3063), to the armed forces prior to November 1, 1951. If you made no deliveries of frozen, semi-boneless veal (military specifications, MIL-V-3063) prior to November 1, 1951, you may not add the \$1.50 per cwt. unless you receive specific authorization to do so from the Office of Price Stabilization, Washington, D. C.

In order to receive such authorization you should file a written application, in duplicate, with the Office of Price Stabilization, Food and Restaurant Division, Washington 25, D. C., containing the following information: (i) your name and

address, (ii) the location of your plant, and (iii) a statement from the Quartermaster General's Office, certifying that the boning facilities of your plant are essential to meet military requirements for frozen, semi-boneless veal (military specifications, MIL-V-3063). You may not add the \$1.50 per cwt. unless and until the Director of Price Stabilization notifies you, in writing, that authorization to do so has been granted.

(2) If you make a delivery to the buyer by common carrier and you pay the expense of such delivery, you may add the actual cost to you of such delivery provided such transportation cost is separately stated on the invoice.

SEC. 24. Schedule V. Veal variety meats and by-products, fresh or frozen.

(All prices are on a dollars per cwt. basis. The price for any fraction of a cwt. shall be reduced proportionately. You may add the additions set forth in sections 40, 41, 45, and 49.)

(1)	Non-kosher	Kosher	Sales to purveyors of meals		
			By hotel supply houses and ship suppliers	By peddlers and combination distributors	By others
(2)	(3)	(4)	(5)	(6)	(7)
1. Brains.....	\$20.00	\$25.00	\$32.00	\$30.00	\$28.00
2. Caul fat.....	20.00	40.00			
3. Cheek meat.....	40.00	40.00			
4. Diaphragm meat.....	26.00				
5. Feet, scalded.....	25.00	28.00			
6. Feet, green.....		18.00			
7. Fries.....	40.00				
8. Gullet and meat.....	26.00				
9. Haslet.....	20.00	23.00			
10. Head, unskinned.....	14.00	14.00			
11. Head, skinned.....	17.00	17.00			
12. Head, scalded.....	30.00	30.00			
13. Head meat.....	40.00	40.00			
14. Heart, regular.....	35.00	40.00	47.00	45.00	43.00
15. Heart, trimmings.....	15.00				
16. Kidneys, fat on.....	20.00		32.00	30.00	28.00
17. Kidneys, fat off.....	22.00		34.00	32.00	30.00
18. Lips (unscalded).....	17.50				
19. Lips (scalded).....	18.50	19.50			

(1)	Non-kosher	Kosher	Sales to purveyors of meals		
			By hotel supply houses and ship suppliers	By peddlers and combination distributors	By others
(1)	(2)	(3)	(4)	(5)	(6)
20. Livers, veal:					
(a) Under 1½ pounds.....	\$90.00	\$100.00	\$110.00	\$105.00	\$102.00
(b) 1½ to 4 pounds.....	115.00	120.00	125.00	120.00	118.00
(c) 4 to 6 pounds.....	100.00	115.00	120.00	120.00	115.00
(d) 6 to 8 pounds.....	80.00	90.00	100.00	95.00	92.00
21. Lungs.....	10.00	15.00			
22. Melts.....	10.00	15.00			
23. 4'lucks:					
(a) Under 3 pounds.....	51.00	61.00			
(b) 3 to 8 pounds.....	63.00	73.00			
24. Pancakes.....	27.00				
25. Pancakes, cleaned.....	29.00				
26. Sweetbread pairs (all weights).....	102.00	115.00	120.00	120.00	118.00
27. Sweetbreads (broken pairs).....	70.00	85.00	100.00	94.00	88.00
28. Tails.....	25.00				
29. Tongues, short cut.....	35.00	49.00			
30. Tongues, scalded and skinned.....	55.00				
31. Tongue meat (trimmings).....	34.00				
32. Tripe, scalded.....	11.50	11.50			
33. Tripe, cooked.....	15.00	15.00			

SPECIAL ADDITIONS FOR SCHEDULE V

(1) If you are a wholesaler, you may add 5 percent to the prices listed above in columns 2 and 3, (rounded to the nearest 10¢ per cwt.) or you may add \$2.50 per cwt., whichever is higher, on sales to retailers.

(2) If you are a wholesaler, you may add 3 percent to the prices listed above in columns 2 and 3, (rounded to the nearest 10¢ per cwt.) or you may add \$1.25 per cwt., whichever is higher, on sales to all buyers other than retailers and purveyors of meals.

(3) If you are a peddler truck seller, you may add 5 percent to the prices listed above in columns 2 and 3, (rounded to the nearest 10¢ per cwt.) or you may add the applicable addition permitted in section 46, whichever is higher, on sales to retailers.

(4) If you are a combination distributor, not affiliated with a slaughterer, you may add \$2.00 per cwt. to the prices listed above in columns 2 and 3 on sales to retailers.

(5) If you are a hotel supply house, you may add \$1.50 per cwt. to the prices listed above in columns 2 and 3 on sales to retailers.

(6) For freezing veal livers, you may add an additional \$1.00 per cwt. to the schedule price. Veal livers which do not meet the specifications for liver, veal, in Appendix 5 (s), may not be sold for more than the applicable prices for beef livers.

ARTICLE III—DISTRIBUTION POINT

SEC. 30. *Distribution point.* The distribution point applicable to each of your sales determines the zone addition (section 40) and the local delivery addition (section 41), if applicable. In determining the distribution point applicable to each sale, you shall be governed as follows:

(a) (1) *Slaughterers.* If you are a slaughterer, your distribution point is the plant where the calves, from which the veal was obtained, were slaughtered, except for sales under section 30 (a) (2).

(2) *Packers' branch houses.* If you are a packer's branch house, your distribution point is the branch house if

the veal sold was physically within the branch house cooler prior to the sale.

(b) *Peddler truck sellers.* If you are a peddler truck seller, your distribution point is your customer's place of business.

(c) *All other sellers.* Your distribution point is your place of business from which the veal is sold.

ARTICLE IV—ADDITIONS

SEC. 40. *Zone addition.* You may add to the ceiling prices specified in the sections indicated below the applicable amount listed opposite the zone in which your distribution point is located.

	Zone addition (per cwt.)	
	For sections 20 and 24	For section 21
Zone 1.....	\$2.50	\$3.50
Zone 2.....	1.50	2.10
Zone 3.....	1.00	1.40
Zone 4.....	0	0
Zone 5.....	.50	.70
Zone 6.....	1.00	1.40
Zone 7.....	1.50	2.10
Zone 8.....	2.00	2.80
Zone 9.....	2.50	3.50
Zone 10.....	3.00	4.20

SEC. 41. *Local delivery addition.* (a) Where you make (or pay a contract carrier to make) a local delivery of not in excess of 3,000 pounds in any one day to the delivery point designated by the buyer, you may add to the prices specified in Schedules I, II, III, IV, and V the amount indicated for the distances set forth below:

(The charge for local delivery for any fraction of a cwt. shall be reduced proportionately.)

	Distance of delivery ¹
\$0.40 per cwt.....	Up to 35 miles.
\$0.60 per cwt.....	35 to 75 miles.
\$1.00 per cwt.....	75 to 150 miles.
\$1.30 per cwt.....	150 miles or over.

¹ In terms of shortest railroad and/or truck route.

(b) Where you make a local delivery in excess of 3,000 pounds in any one day to the delivery point designated by the

buyer, you may add to the prices specified in Schedules I, II, III, IV, and V the lowest of the following amounts.

- (1) The regular commercial rate.
- (2) The amount specified in (a) above for local delivery for a corresponding distance.

SEC. 42. *Wholesaler's addition.* (a) On the sale of any veal (not obtained through custom slaughtering):

(1) To retailers and purveyors of meals, you may add \$2.50 per cwt. to the prices specified in Schedules I (b) and II, or

(2) To another wholesaler, you may add \$1.00 per cwt. to the prices specified in Schedules I (a), I (b), and III or

(3) To other buyers, you may add \$1.25 per cwt. to the prices specified in Schedules I (b) and III.

(4) You may not add this wholesaler's selling addition unless you are a wholesaler as defined in section 50, and unless you have filed with the appropriate Regional Office of the Office of Price Stabilization a signed statement containing the following:

- (i) Your name;
- (ii) The address of your selling establishment;
- (iii) The date that you began doing business as a wholesaler;
- (iv) The type or types of customers to whom you regularly and customarily sell your product.

(b) *Addition for certain affiliated wholesalers.* (1) If you do not qualify as a wholesaler, only by reason of the fact that you do not meet the requirements of section 50 (u) (2) of this regulation, you may add the appropriate wholesaler's addition on sales of veal you buy for resale from unaffiliated sources, *Provided:*

(i) The product is readily distinguishable as having been purchased for resale (i. e., it bears the registration number required by section 3 (f) or 4 (f) of Distribution Regulation 1 or any wrapping or packaging bearing the name or identification of the non-affiliated slaughterer from whom you bought);

(ii) The name of the person from whom you bought for resale is stated on your invoice. (If the item is a wrapped or packaged item, the name of the person whose identification appears on the package or wrapper must be shown.)

(iii) After the effective date of this regulation, neither you, nor any person affiliated with you, sells any veal to any slaughterer, packer, packer's branch house, or any person affiliated therewith; except to a chain store that conducts or is affiliated with a slaughtering operation as an incidental part of its business;

(iv) During the month of December 1951 you take this addition on no more than one-third of the volume by weight of veal which you obtained from unaffiliated sources and resold during the last quarter of 1950.

(v) You do not, during any calendar quarter beginning on or after January 1, 1952, take the addition on a greater volume, by weight, of veal than you obtained from unaffiliated sources and resold during the last quarter of 1950;

(vi) You file with your Regional Office, on or before January 1, 1952, a statement

showing the volume by weight of veal you obtained from unaffiliated sources and resold during the last quarter of 1950; (vii) You file with your Regional Office, on or before January 15, 1952, a statement showing, for the month of December 1951:

(a) The total volume by weight of veal obtained for resale from unaffiliated sources, and

(b) The total volume by weight of veal sold on which the wholesaler's addition was charged.

(viii) You file with your Regional Office, on or before April 15, 1952, and on or before the 15th day following the end of each calendar quarter ending on or after June 30, 1952, a statement showing, for the calendar quarter ended prior to the reporting date:

(a) The total volume by weight of veal obtained for resale from unaffiliated sources, and

(b) The total volume by weight of veal sold on which the wholesaler's addition was charged.

SEC. 43. Freezing and storage for defense procurement agencies. On sales to a defense procurement agency, you may add to the prices specified in Schedules I (b) and IV:

(a) If the veal is frozen and stored at a commercial freezer, the actual charge for that service; or

(b) If the veal is frozen and stored in your own freezer, the addition shall not exceed the rate for the corresponding service at the nearest commercial freezer.

All charges for freezing must be separately itemized on your invoice.

SEC. 44. Wrapping—(a) Wrapping for civilian sales. (1) For wrapping veal carcasses or wholesale cuts in one stockinette or krinkle kraft bag, you may add to the prices specified in Schedule I (b) 20 cents per cwt. (2) For wrapping veal carcasses or wholesale cuts in two stockinettes or a stockinette and a krinkle kraft bag, you may add to the prices specified in Schedule I (b) 35 cents per cwt. (3) For wrapping veal carcasses or wholesale cuts in one stockinette and one banana bag (or peach paper) you may add to the prices specified in Schedule I (b) 25 cents per cwt.

(b) **Wrapping for sales to defense procurement agencies.** (1) For wrapping veal carcasses or wholesale cuts in a double wrapping meeting military specifications, you may add to the prices specified in Schedule I (b) on sales to defense procurement agencies, the cost of such wrapping, but in no event more than 75 cents per cwt. (2) For wrapping veal carcasses or wholesale cuts, in a triple wrapping meeting military specifications, you may add to the prices specified in Schedule I (b) on sales to defense procurement agencies the cost of such wrapping, but in no event more than \$1.15 per cwt.

(c) **Wrapping veal carcasses, hide-on.** You may not add this wrapping addition on sales of veal carcasses, hide-on.

SEC. 45. Packing in shipping containers. For packing veal products in new containers, you may add to the prices specified in Schedule I (b), III, and V the amount specified below opposite the type of container used.

	Per cwt.
5/15 pound wood, metal, or solid fibre containers.....	\$1.80
16/35 pound wood, metal, or solid fibre containers.....	1.50
36/65 pound wood, wirebound crates, or solid fibre boxes.....	1.00
Over 65 pound wood, wirebound crates, or solid fibre boxes.....	.80
Barrels.....	.70
Corrugated boxes (all).....	.70

No more than one container addition may be made for any one product. This addition may not be added if you also charge the wrapping addition specified in section 44. If you use a second-hand container, you may charge one-half of the applicable amount listed above.

SEC. 46. Peddler-truck selling addition. (a) On a peddler-truck sale to a buyer's store door or place designated by the buyer for delivery, you may add \$2.75 per cwt. to the prices specified in Schedules I (b) and III, and in columns 2 and 3 of Schedule V.

(b) If you purchase any veal priced in Schedules I (b) or III or in columns 2 or 3 of Schedule V from a wholesaler who has taken the appropriate wholesaler's addition specified in section 42, or Schedule V, you may add \$3.75 per cwt. instead of the amount permitted by section 46 (a), upon resale of such veal.

(c) You may not charge the additions in paragraphs (a) or (b) of this section 46 unless you make a peddler-truck sale as defined in section 50 and unless you have filed with the appropriate Regional Office of the Office of Price Stabilization a signed statement containing the following:

- (1) Your name.
- (2) Your business address.
- (3) The date you began doing business as a peddler-truck operator.
- (4) The type or types of customers to whom you regularly and customarily sell your product.

SEC. 47. Kosher veal from calves slaughtered outside that portion of Zone 9 north of the Potomac River. For calves kosher slaughtered outside of that portion of Zone 9 north of the Potomac River you may charge the addition in subsection (a) or (b), whichever is applicable.

(a) **Kosher veal carcasses.** (1) For any grade, except cull, of kosher veal carcass, you may add \$1.30 per cwt. to the prices specified in Schedule I (a) on sales to a bona fide buyer of kosher meat.

(2) For any grade, except cull, of kosher veal carcass which has been slaughtered in and transported from another zone to that portion of Zone 9 north of the Potomac River, a seller located in that portion of Zone 9 may add \$0.25 per cwt. to the prices specified in Schedule I (a), in addition to the \$1.30 per cwt. specified in section 47 (a) (1), on sales to a bona fide buyer of kosher meat located in that portion of Zone 9 north of the Potomac River.

(b) **Kosher veal foresaddle, forequarter, or wholesale cut derived from the forequarter.** (1) For any grade, except cull, of kosher veal foresaddle or forequarter or for any wholesale cut derived therefrom sold to a bona fide buyer of kosher meat, you may add \$3.00 per cwt. to the prices specified in Schedule I (b),

(2) For any grade, except cull, of kosher veal foresaddle or forequarter or for any wholesale cut derived therefrom which has been slaughtered in and transported from another zone to that portion of Zone 9 north of the Potomac River, a seller located in that portion of Zone 9 may add \$0.50 per cwt. to the prices specified in Schedule I (b), in addition to the \$3.00 per cwt. specified in section 47 (b) (1), on sales to a bona fide buyer of kosher meat located in that portion of Zone 9 north of the Potomac River.

(c) You shall not take both the addition in section 47 (a) and the addition in section 47 (b) on the sale of any kosher veal.

SEC. 48. Kosher veal from calves slaughtered in that portion of Zone 9 north of the Potomac River. (a) For any kosher veal foresaddle, forequarter, or wholesale cut derived from the foresaddle or forequarter of calves slaughtered in that portion of Zone 9, north of the Potomac River you may add to the prices listed in Schedule I (b), the following:

	Per cwt.
(1) For prime and choice grades.....	\$10.00
(2) For good and commercial grades.....	8.00
(3) For utility grade.....	6.00

(b) You may not charge this addition unless:

(1) The veal bears a clear impression of the abattoir stamp at least once on each wholesale cut in the forequarter.

(2) The veal is sold to a bona fide buyer of kosher meats located in that portion of Zone 9 north of the Potomac River.

(c) You shall not charge both the addition in section 47 and the addition in section 48 on the sale of any kosher veal.

SEC. 49. Intermediate distributor and packer's branch house additions—(a) Intermediate distributor's addition. (1) If you are an intermediate distributor, as defined in section 50 (h), you may add \$1.00 per cwt. to the prices specified in Schedules I and III and in columns 2 and 3 of Schedule V.

You may not add this intermediate distributor's addition unless you have filed with the appropriate Regional Office of the Office of Price Stabilization a signed statement in duplicate, containing the following:

- (i) Your name.
- (ii) The address of your business.
- (iii) The date you began doing business as an intermediate distributor.
- (iv) The type or types of customers to whom you regularly and customarily sell your product.

(v) The reason you do not qualify as a wholesaler or peddler under this regulation.

(vi) Whether or not you sell meat out of stock carried in trucks owned or operated by you. If you sell meat in this manner, you should state the number of trucks you own or operate.

(2) You may not during the month of December 1951 take the addition on a greater volume, by weight, of veal than you bought and resold for your own account during the same month in 1950. Moreover, you may not during any calendar quarter beginning on or after January 1, 1952, take the addition on a

greater volume by weight of veal than you bought and resold for your own account during the last calendar quarter in 1950.

You shall file with your OPS Regional Office on or before December 15, 1951, a statement showing the volume by weight of veal you bought and resold for your own account during the month of December 1950 and during the last calendar quarter of 1950.

If you add the intermediate distributor's addition you should file with your OPS Regional Office:

(i) On or before January 15, 1952, a statement showing for the month of December 1951, the total volume by weight of veal on which you charged the intermediate distributor's addition; and

(ii) On or before April 15, 1952, and on or before the 15th day following the end of each calendar quarter thereafter a statement showing, for the calendar quarter ended prior to the reporting date, the total volume by weight of veal on which you charged the intermediate distributor's addition.

(b) *Packer's branch house addition.* If you are a packer's branch house not physically attached to a slaughtering plant, you may add \$0.60 per cwt. to the prices listed in Schedules I (b) and III to retailers and purveyors of meals only, and in columns 2 and 3 of Schedule V on sales to retailers only. This addition may not be made unless the veal sold was physically within the branch house cooler prior to the sale.

ARTICLE V—GENERAL DEFINITIONS

Sec. 50. *General Definitions.* When used in this regulation, the term: (a) *Affiliated* means the relationship existing between two persons when one is owned or controlled by the other, or both are owned or controlled by the same person, or when one is an employee or agent of the other. Own or control means to own or control directly or indirectly a partnership equity or in excess of 10 percent of any class of outstanding stock, or to have made loans or advances in excess of 5 percent (except on open account) of the other person's monthly sales.

(b) *Buyer of kosher meat* means a person who maintains a selling establishment at or through which he regularly and generally sells kosher meat as such, or a person who is a purveyor of kosher meats.

(c) *Club vealers or calves* means any vealers or calves which have been bred, raised and fed, or fed only, by a member of a 4-H or F. F. A. club under the supervision of the Extension Service of the United States Department of Agriculture, or by an individual participating in a vocational agricultural project under the supervision of a vocational teacher in any recognized Vocational Agricultural Department, and which have been certified in writing to conform to the provisions hereof by the supervisor, club agent, Agricultural County Agent or vocational agricultural project teacher under whose supervision such vealers or calves were bred, raised, or fed.

(d) *Combination distributor* means any establishment (1) which is not affiliated with a packing or slaughtering

plant, packer's branch house, wholesaler's or other non-retail meat selling establishment; and which does not sell to ultimate consumers more than 50 percent of the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it; and which sold or delivered to purveyors of meals during 1950 not less than 25 percent of the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it, excluding sales to defense procurement agencies; or

(2) Which is affiliated with a packing or slaughtering plant, packer's branch house, wholesaler's or other non-retail meat selling establishment to which it is not physically attached; and which does not sell to ultimate consumers more than 50 percent of the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it, excluding sales to defense procurement agencies.

(e) *Defense procurement agency* means the Department of Defense (including the Department of the Army, the Department of the Navy, including the Marine Corps, and the Department of the Air Force), the United States Coast Guard, the Department of Agriculture, the Veterans Administration, or any agency of the foregoing.

(f) *Grades* means the uniform grades required under Distribution Regulation 2.

(g) *Hotel supply house* means any establishment

(1) Which sold or delivered to purveyors of meals during 1950 not less than 70 percent of the total volume by weight of all meats, including sausage, variety meats and edible by-products, sold or delivered by it, excluding sales to defense procurement agencies, and

(2) Which is not affiliated with a packing or slaughtering plant, packer's branch house, wholesaler's or other non-retail meat selling establishment.

(h) *Intermediate distributor* means a person (other than a hotel supply house, combination distributor or peddler truck seller) who meets all the requirements of "wholesaler" set forth in section 50 (u), except that he does not operate or maintain a separate selling establishment equipped with storage facilities as required by that definition.

(i) *Local delivery* means delivery commencing at the distribution point and continuing to the buyer's place of business or to the delivery point designated by the buyer.

(j) *Packer's branch house* means a selling establishment:

(1) Which is affiliated with a packing or slaughtering plant to which it is not physically attached; and

(2) Which operated as a selling establishment for the affiliated packing or slaughtering plant at any time between January 1, 1950 and the issuance date of this regulation; and

(3) Which has not elected any other seller's addition under the provisions of section 7 of this regulation.

(k) *Peddler truck sale* means a sale of veal from a truck by a person:

(1) Who purchases veal at or below the ceiling price from a seller with whom he has no other financial affiliations or relationships;

(2) Who takes delivery at the seller's place of business;

(3) Who does not sell or deal in meat in any manner other than sales out of stock carried in a truck driven by him; and

(4) Who has sold meat in this manner at any time between January 1, 1950 and the issuance date of this regulation.

(l) *Purveyor of meals* means (1) Any restaurant, hotel, cafe, cafeteria or establishment who purchases meats and serves meals, food portion or refreshments for a consideration; or

(2) Any hospital, asylum, orphanage, prison or other similar institution; or

(3) Any person who is feeding, pursuant to a written contract with an agency of the United States, personnel of the armed services of the United States, fed under the command of a commissioned or noncommissioned officer or other authorized representative of the armed services of the United States, except that no defense procurement agency shall be considered a purveyor of meals; or

(4) Any person operating a vessel engaged in the transportation of cargo or passengers in foreign, coastwise, intercoastal trade, or trade upon interior waterways or the Great Lakes, if meat is delivered for consumption aboard such vessel; or

(5) Any person operating non-military aircraft, if meat is delivered for consumption aboard such aircraft.

(m) *Sale at retail* means a sale to an individual for consumption by himself or his family off the seller's premises. A retailer means a person who sells at retail.

(n) *Ship operator* means any person (including the Maritime Administration, but excluding all defense procurement agencies) who operates a vessel engaged in the transportation of cargo or passengers in foreign, coastwise, intercoastal trade, or trade upon interior waterways or the Great Lakes.

(o) *Shipment*, whenever used in section 10 (b), means commodities which are consigned to a single buyer as part of a single freight car or truck movement or delivery to the place of business or warehouse of the buyer, other than a consignment or delivery of the entire content of a common carrier, freight car or truck to a defense procurement agency.

(p) *Ship supplier* means any person who sells veal to ship operators, but he shall be considered a ship supplier only with reference to the sales of veal directly to ship operators.

(q) *Slaughterer* means a person who owns or is affiliated with a slaughtering plant or slaughtering facilities, or who has calves or vealers slaughtered for him by another person.

(r) *Slaughtering facilities* means any equipment used for the commercial killing of calves or vealers.

(s) *Slaughtering plant* means any place used for the commercial killing of calves or vealers.

(t) *Veal or veal cut* means meat graded as veal or calf pursuant to the provisions of Distribution Regulation 2 and in accordance with the "Official U. S. Standards for Grades of Veal and Calf Carcasses" of the U. S. Department of Agriculture. Under the provisions of DR 2, if grading is performed by other than official graders, no carcass shall be graded as veal or calf, if it weighs more than 275 pounds, skin-off, chilled or 315 pounds, skin-on, chilled.

(u) *Wholesaler* means a person (other than a hotel supply house, combination distributor, intermediate distributor or peddler truck seller):

(1) Who buys veal for resale; and

(2) Who does not own and is not affiliated with any slaughtering plant or facilities, engaged in the slaughtering of vealers or calves; and

(3) Who maintains and operates a separate selling establishment, equipped with reasonable and adequate storage facilities, in such a manner that the total monthly poundage of meats and meat by-products sold out of stock carried in his separate selling establishment constitutes not less than 90 percent of the total monthly poundage of all meat and meat by-products resold by him; and

(4) Who operated in this manner at any time between January 1, 1950, and the issuance date of this regulation. If, however, you have not operated in this manner at any time between January 1, 1950, and the issuance date of this regulation but you have made a substantial investment in plant or equipment prior to that time, you may file an application with the Office of Price Stabilization, Food and Restaurant Division, Washington, D. C., requesting that you be qualified as a wholesaler. Your application shall state the nature and extent of your investment in plant or equipment and when such investment was made. If the Director finds that you have made such an investment prior to the issuance date of this regulation, he may, by order, qualify you as a wholesaler under the appropriate provision of section 50.

(v) *You or person* indicates the person subject to this regulation, including any individual, corporation, partnership, association, or any other organized group of persons, or legal successor or representative of any of the foregoing and includes the United States or any agency thereof, or any other government, or any of its political subdivisions, or any agency of any of the foregoing. However, no punishment provided by this regulation shall apply to the United States or to any such government, political subdivision, or agency.

Effective date. This regulation shall become effective on December 12, 1951. You may, however, adopt in whole the provisions of this regulation at any time before the effective date.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

DECEMBER 4, 1951.

APPENDIX 1—ZONE DEFINITIONS

(a) *Zone 1.* Zone 1 means the area described as follows:

The entire States of Washington, Oregon, California, Nevada, and Idaho.

The portion of Montana west of and including the following counties: Blaine, Fergus, Golden Valley, Stillwater and Carson.

(b) *Zone 2.* Zone 2 means the area described as follows:

The entire States of Utah and Arizona.

The State of Wyoming with the exception of the following counties: Platte, Goshen and Laramie.

The portion of the State of Montana not included in Zone 1 (the portion of Montana east of and including the counties of Phillips, Petroleum, Musselshell, Yellowstone, and Big Horn).

(c) *Zone 3.* Zone 3 means the area described as follows:

The entire State of New Mexico.

The portion of the State of Colorado west of and including the following counties: Larimer, Boulder, Jefferson Park, Teller, Fremont, Custer, Huerfano, Las Animas, and Baca.

The portion of western Texas included in the following counties: El Paso, Hudspeth, Culberson, Reeves, Pecos, Terrell, Brewster, Presidio, and Jeff Davis.

(d) *Zone 4.* Zone 4 means the area described as follows:

The entire States of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Minnesota, Wisconsin, and Iowa.

The State of Texas except the counties included in Zone 3, (El Paso, Hudspeth, Culberson, Reeves, Pecos, Terrell, Brewster, Presidio, and Jeff Davis).

The portion of the State of Wyoming included in the following counties: Platte, Goshen, Laramie.

The portion of the State of Colorado east and north of and including the following counties: Weld, Adams, Denver, Arapahoe, Douglas, El Paso, Pueblo, Otero, Bent, and Prowers.

The State of Missouri with the exception of the following counties: St. Louis, Jefferson, Ste. Genevieve, Perry, Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard, Bollinger.

The portion of the State of Illinois included in the following counties: Jo Daviess, Stephenson, Winnebago, Boone, McHenry, Lake, Carroll, Ogle, Whiteside, Lee, De Kalb, and Kane.

The portion of the Upper Peninsula of Michigan included in the following counties: Gogebic, Ontonagon, Houghton, Keweenaw, Baraga, Marquette, Iron, Dickinson, Menominee, Delta, Alger, and Schoolcraft.

(e) *Zone 5.* Zone 5 means the area described as follows:

The portion of the Upper Peninsula of the State of Michigan included in the counties of Luce, Mackinac, and Chippewa; the entire Lower Peninsula of the State of Michigan and the islands belonging to the State of Michigan which lie in Lake Michigan and Lake Huron.

The portion of the State of Indiana included in the following counties: Benton, Newton, Lake, and Porter.

The portion of the State of Illinois north of and including the following counties: Monroe, St. Clair, Clinton, Marion, Clay, Richland and Lawrence, but excepting the counties of Lake, Kane, McHenry, De Kalb, Boone, Winnebago, Ogle, Lee, Stephenson, Jo Daviess, Carroll, and Whiteside.

The portion of the State of Missouri included in the county of St. Louis.

(f) *Zone 6.* Zone 6 means the area described as follows:

The entire State of Arkansas.

The portion of the State of Louisiana west of and including the following counties: Cameron, Jefferson Davis, Allen, Vernon, Natchitoches, Grant, Winn, Jackson, Ouachita, and Morehouse.

The portion of the State of Missouri included in the following counties: Jefferson, Ste. Genevieve, Perry, Cape Girardeau, Scott, Mississippi, New Madrid, Pemiscot, Dunklin, Stoddard, and Bollinger.

The portion of the State of Tennessee north of and including the following counties: Dyer, Crockett, Gibson, Carroll, Benton, Houston, and Montgomery.

The portion of the State of Kentucky west of and including the counties of: Meade, Breckinridge, Ohio, Muhlenberg, and Todd.

The portion of Illinois south of and including the following counties: Wabash, Edwards, Wayne, Jefferson, Washington and Randolph.

The State of Indiana with the exception of the following counties: Porter, Lake, Newton and Benton.

(g) *Zone 7.* Zone 7 means the area described as follows:

The entire State of Ohio.

The portion of Kentucky east and south of and including the counties of Logan, Butler, Grayson, Hardin, Bullitt, Jefferson, Oldham, Trimble, Carroll, Gallatin, and Boone, with the exception of the counties of Bell, Leslie, Perry, Breathitt, Magoffin, Johnson, Lawrence, Boyd, Harlan, Letcher, Knott, Pike, Floyd, and Martin.

The portion of Tennessee west of and including the counties of Campbell, Scott, Morgan, Cumberland, Bledsoe, Sequatchie, and Marion with the exception of the counties of Montgomery, Stewart, Houston, Benton, Carroll, Gibson, Crockett, Dyer, Lake, Obion, Weakley, and Henry.

The portion of Alabama north of and including the following counties: Lamar, Fayette, Walker, Cullman, Morgan, Madison and Jackson.

The portion of Mississippi north of and including the following counties: Issaquena, Yazoo, Madison, Attala, Choctaw, Oktibbeha, and Lowndes.

The portion of Louisiana included in the following parishes: Vermilion, Acadia, Evangeline, Rapides, La Salle, Caldwell, Richland, West Carroll, East Carroll, Madison, Franklin, Tensas, Catahoula, Concordia, Avoyelles, St. Landry, Lafayette, St. Martin, Iberia, Pointe Coupee, West Baton Rouge, Iberville, Assumption, St. Mary, Terrebonne, and Lafourche.

(h) *Zone 8.* Zone 8 means the area described as follows:

The entire State of West Virginia.

The portion of New York west of and including the following counties: Broome, Chenango, Madison, Oneida, and Oswego.

The portion of Pennsylvania west of and including the following counties: Potter, Clinton, Centre, Huntingdon and Fulton.

The following counties in the State of Maryland: Garrett and Allegany.

The portion of Kentucky included in the following counties: Boyd, Lawrence, Martin, Pike, Letcher, Harlan, Bell, Leslie, Perry, Knott, Floyd, Breathitt, Magoffin, and Johnson.

The portion of Virginia west of and including the following counties: Highland, Bath, Alleghany, Craig, Montgomery, Floyd, and Carroll.

The portion of Tennessee east of and including the following counties: Claiborne, Union, Anderson, Roane, Rhea, and Hamblin.

The portion of North Carolina west of and including the following counties: Alleghany, Wilkes, Alexander, Caldwell, Burke, and Cleveland.

The portion of South Carolina west of and including the following counties: Cherokee, Union, Newberry, Saluda, and Edgefield.

The portion of the State of Georgia west of and north of and including the following counties: Columbia, McDuffie, Warren, Glascock, Washington, Johnson, Laurens, Dodge, Wilcox, Ben Hill, Irwin, Tift, Colquitt, and Thomas.

The portion of the State of Alabama not included in Zone 7 (the portion south of

and including the following counties: De Kalb, Marshall, Blount, Jefferson, Tuscaloosa, and Pickens.)

The portion of the State of Florida west of and including the following counties: Gadsden, Liberty, and Franklin.

The portion of Mississippi not included in Zone 7 (the portion south of and including the following counties: Noxubee, Winston, Neshoba, Leake, Scott, Rankin, Hinds, and Warren).

The portion of Louisiana east of and including the parishes of West Feliciana, East Feliciana, East Baton Rouge, Ascension, St. James, St. John the Baptist, St. Charles, and Jefferson.

(1) *Zone 9.* Zone 9 means the area described as follows:

The entire States of Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, and Delaware.

The portion of the State of New York not included in Zone 8 (the portion south and east of and including the following counties: Clinton, Franklin, St. Lawrence, Jefferson, Lewis, Herkimer, Otsego, Delaware, Sullivan, Orange, Rockland, Westchester, New York, Bronx, Kings, and Richmond.)

The portion of the State of Pennsylvania not included in Zone 8 (the portion east of and including the following counties: Tioga, Lycoming, Union, Mifflin, Juniata, Perry, and Franklin.)

All of the State of Maryland except for the counties of Garrett and Alleghany.

All of the State of Virginia not included in Zone 8 (the portion east of and including the following counties: Frederick, Shenandoah, Rockingham, Augusta, Rockbridge, Botetourt, Roanoke, Franklin, and Patrick.)

The portion of the State of North Carolina east of and southeast of and including the following counties: Surry, Yadkin, Iredell, Catawba, Lincoln, and Gaston.

The portion of the State of South Carolina east of and including the following counties: York, Chester, Fairfield, Richland, Lexington, Aiken, Barnwell, Allendale, Hampton, Jasper, and Beaufort.

The portion of the State of Georgia east of and including the following counties: Richmond, Jefferson, Emanuel, Truett, Wheeler, Telfair, Coffee, Berrien, Cook, and Brooks.

The portion of the State of Florida included in the following counties: Leon, Wakulla, Jefferson, Madison, Taylor, Dixie, Lafayette, Suwannee, Hamilton, Columbia, Gilchrist, Levy, Citrus, Hernando, Pasco, Sumter, Lake, Marion, Flagler, St. Johns, Putnam, Clay, Duval, Nassau, Baker, Union, Bradford, and Alachua.

(j) *Zone 10.* Zone 10 means the area described as follows:

The portion of the State of Florida south of and including the following counties: Volusia, Seminole, Orange, Osceola, Polk, Hillsborough, and Pinellas.

APPENDIX 2—VEAL CARCASSES AND WHOLESALE CUT DEFINITIONS

When used in this regulation the term: (a) *Veal carcass (hide-on)* means and is limited to the dressed whole carcass with the head, fore and hind feet removed. The front feet must be skinned and severed at the lower knee joint, the hind legs must be skinned and severed at the hock. The head must be skinned and severed from the carcass at the socket (occipito-atlas) joint. The belly of the calf or vealer shall be opened by cutting or sawing through the aitch bone (symphysis-pelvis) down the belly in a straight line to the center of the sternum bone and continuing through the sternum bone to the neck. All the viscera (not including the kidneys and the kidney fat) shall be removed. The carcass shall be dressed with the pluck out, sweetbreads removed, and without caul fat dressing. No trimming is required on the skirt (diaphragm), the

heart fat is to be left in the carcass, and the full hide is to be left on.

(b) *Veal carcass or side (hide-off)* means and is limited to the dressed carcass as described above in Appendix 2 (a) with the hide and sinews removed and the tail removed so as to leave not more than two tail or caudal vertebrae on the carcass. Side of veal means and is limited to one-half of the carcass severed from the whole carcass by a cut through the center of the backbone (chine bone). It shall consist of a full hindquarter and a full forequarter from the same carcass.

(c) *Veal wholesale cut* means and is limited to any of the following cuts, defined in Appendix 2, meeting the following minimum specifications, derived from the hide-off veal or calf carcass. Ribs are designated as first to thirteenth, inclusive, counting as the first rib that one which is nearest the neck.

(d) *Foresaddle or forequarter* means the anterior portion of the carcass or side, respectively, remaining after the severance of the one-rib hindsaddle or hindquarter, which anterior portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut.

(e) *Hindsaddle or hindquarter* means the portion of the carcass or side, respectively, remaining after the severance of the 12 rib foresaddle or forequarter and comprising the legs or leg, and loin, double or single, including the 13th rib, flank and kidney, all in one piece, which portion shall be obtained by cutting the veal carcass or side between the 12th and 13th ribs keeping the knife firmly against the 12th rib and following the curvature of the rib to the point where the 12th rib turns from which point the cut shall be continued by following a line through the cartilage and meat of the flank in the same straight line at right angles to the chine bone, completing the cut. Tail or caudal vertebrae to be left on the hindsaddle or hindquarter are not to exceed 2 in number.

(f) *Hotel rack or rib* means the rib section from the 6th to the 12th ribs, inclusive, severed from the forequarter by a cut starting at a point of the 12th rib not more than six inches from the inside protruding edge of the chine bone, cutting in a straight line to a point on the 6th rib which is not more than four and one-half inches from the inside protruding edge of the chine bone, and then cutting between the 5th and 6th ribs, following the curvature of the ribs close to the 5th rib.

(g) *Shoulder* means the 5-rib shoulder, cut as described in this paragraph. The 5-rib shoulder is made from the veal forequarter after the rib has been removed, as described in Appendix 2 (f) by cutting in a straight line starting at a point on the 5th rib not more than 4 1/2 inches from the protruding edge of the chine bone on the inside, and cutting through a point at the end of the breast bone, including the cartilage (forward end of the first segment of the sternum). This cut will separate the shoulder from the breast and shank. When the shoulder has been separated from the breast, the only bone to show on the side of the shoulder other than the ribs is the arm bone.

(h) *Foreshank* means the shank of the forequarter obtained by separating the shank from the breast by a cut following the natural seam and leaving the entire lip or web muscle attached to the breast. The cut shall be made through the arm bone leaving the elbow joint and a part of the arm bone on the foreshank.

(i) *Breast* means that portion of the forequarter which remains after the rib (as

described in Appendix 2 (f)), the veal shoulder (as described in Appendix 2 (g)), and the foreshank (as described in Appendix 2 (h)), have all been removed from the forequarter. (In some areas this is called the "plate".)

(j) *Leg (long leg)* means the portion of the hindsaddle or hindquarter remaining after the severance of the loin from the hindsaddle or hindquarter, which portion shall be obtained by cutting squarely in a line at right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebrae and continuing in the same straight line through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle. The pair of legs may be split through the center to make 2 single legs. The tail or caudal vertebrae remaining on the legs or leg are not to exceed 2 in number.

(k) *Loin, regular (short loin)* (double or single) means that portion of the hindsaddle or hindquarter remaining after severance of the legs or leg (long leg), which portion shall be obtained by cutting in a straight line at a right angle to the chine bone, starting at the juncture of the 5th and 6th lumbar vertebrae, and continuing through a point flush against the anterior end or pin bone end of the pelvis, leaving all the hipbone in the leg. The cut shall be made in a straight line perpendicular to the contour of the outside or skin surface of the hindsaddle or hindquarter. The double loin is split through the center of the chine bone to make 2 single loins. The loin includes the 13th rib and is untrimmed, that is, it includes the flank, kidney, and fat.

(l) *Round (or short leg)* means the portion of the hindsaddle or hindquarter remaining after the severance of the untrimmed full loin from the hindsaddle or hindquarter. This cut shall be obtained as follows: the untrimmed full loin and flank shall be severed from the hindquarter by cutting in a straight line perpendicular to the contour of the outside or skin surface of the hindquarter. The cut shall be made on a straight line formed by and starting from the point on the backbone which is the juncture of the last (5th) sacral vertebrae and the first (1st) tail (caudal) vertebrae, and passing through that point which just misses the end of the protuberance of the femur bone and exposes the ball of the femur bone, continuing in the same straight line beyond the second joint to complete the cut. The two tail vertebrae may be left on the round. Attached to the tail bone of the round shall be the tip or rear corner of the fifth sacral vertebrae. All cod, udder and pelvic fat remaining on the round after its severance from the full loin and flank shall remain on the round.

(m) *Full loin.* (Single or double) means the untrimmed portion of the hindsaddle or hindquarter remaining after the round or short leg had been severed from the hindsaddle or hindquarter in accord with the instructions in Appendix 2 (l) above.

(n) *Back* means the regular loin or short loin (described in Appendix 2 (k)), and the hotel rack (described in Appendix 2 (f)). The back must be in one piece and must contain the complete hotel rack and regular loin.

APPENDIX 3—BONELESS AND MISCELLANEOUS VEAL CUTS DEFINITIONS

When used in this regulation, the term: (a) *Boneless veal leg* means the single veal leg separated from the loin as described in Appendix 2 (j) from which all bone and the gambrel cord (Achilles tendon) have been removed. The cod fat or udder fat and the flank are left intact.

(b) *Boneless veal sirloin strip* means the eye or top muscle of the single veal loin, extending from the pin bone end of the pelvis

to and over the 13th rib, entirely boneless and with the flank removed by a cut parallel to the side of the eye and one-half inch from the eye muscle.

(c) *Veal tenderloin* means the muscle lying in the body cavity of the veal carcass between the kidney fat and chine bone, extending from the butt end of the loin to approximately the 13th rib. The tenderloin shall be entirely boneless and the surplus fat shall be smoothed and tapered down from the butt end to the point where the fat is firmly attached and in no case shall the fat extend beyond the center of the length of the tenderloin. All ragged edges are to be removed.

(d) *Boneless veal regular (rib) roll* means the rib eye muscle that extends over the top of the veal rib bones from the 3d to the 12th rib inclusive. The small wedge-shaped muscle that lies along the plate edge and the covering over the rib eye muscle shall all be removed.

(e) *Boneless veal shoulder clod* means the thick meaty portion of the regular chuck lying above the blade and rib bones. It shall be separated from the chuck by a first cut starting at the knuckle joint and continuing in the same line along the ridge of the blade bone through to the chine bone, and by a second cut starting from the extreme corner of the brisket end of the 5th rib following the first natural muscle seam above the rib bones to a point about midway between the knuckle bone and the end of the 5th rib, then upward to the second natural muscle seam above the rib bones and following this natural muscle seam to the knuckle end of the clod. Pull knuckle end of clod upward, separating in the natural muscle seam at the blade bone then cut along edge of blade bone to enable clod to be pulled loose from the chuck.

(f) *Boneless veal trimmings* means boneless veal meat from any part of the dressed veal carcass, but excluding the pluck, kidneys, kidney fat, sinews, cords and neckstraps.

(g) *Veal neckbones* means the neck (cervical) vertebrae with some meat left between the projections on the vertebrae, but reasonably well trimmed in accordance with normal commercial practice.

(h) *Oven prepared veal leg (center bone leg)* means the single veal leg with all bones except the leg bone (femur) removed. Leg bone means the bone between the stifle joint and the rump bone.

APPENDIX 4—FABRICATED VEAL CUTS DEFINITIONS

Fabricated veal cuts means and is limited to mean any of the following cuts made for a purveyor of meals, meeting the following minimum specifications, and derived from specified veal wholesale cuts as provided for in Appendix 2, excluding any item not included herein. All cuts shall be made according to the specifications provided herein.

When used in this regulation the term:

(a) *Leg, oven-prepared* means the single veal leg with all bones except the leg bone (femur) removed. Leg bone means the bone between the stifle joint and the rump bone.

(b) *Boneless veal leg* means "boneless veal leg" as defined in Appendix 3 (a).

(c) *Leg-boned, rolled and tied* means the single veal leg separated from the loin, from which all bone and the gambrel cord (Achilles tendon) have been removed. The shank muscle is either cut off and placed lengthwise in the pocket left by the aitch and leg bones or folded back and the meat is then rolled into a cylindrical shape and tied with cotton twine. The loops shall be individually tied and spaced not more than 2½ inches apart throughout the length of the roll.

(d) *Trimmed loin* means the loin with the flank, kidney and suet removed. The flank shall be removed by cutting in a straight line parallel with the chine bone and measuring not over six inches from the inside protruding edge of the chine

bone at either end. The kidneys and surrounding fat shall be removed and the fat on the inside of the loin shall be trimmed smooth, and evidence of trimming by a knife shall be apparent.

(e) *Loin steaks (T-bone, porterhouse and club steaks)* mean steaks cut from the veal loin. The kidneys, kidney fat and the 13th rib shall be removed and the fat on the inside of the loin shall be trimmed smooth and evidence of trimming by a knife shall be apparent. The flank shall be removed by cutting in a straight line parallel with the chine bone and not over six inches from the inside protruding edge of the chine bone. The steaks are made by cuts perpendicular to the outer or skin surface and at right angles to the chine bone. The steaks may be of any desired size, provided that the loin is cut into at least four whole individual steaks, and shall include T-bone, porterhouse and club steaks.

(f) *Hotel rack, chine removed, blade bone out* means the single veal hotel rack from which the chine bone and shoulder blade have been removed. The single "veal hotel rack" means the single rib section from the 6th to the 12th ribs, inclusive, severed from the forequarter by a cut starting at a point of the 12th rib not more than six inches from the inside protruding edge of the chine bone, cutting in a straight line to a point on the 6th rib which is not more than four and one-half inches from the inside protruding edge of the chine bone, and then cutting between the 5th and 6th ribs, following the curvature of the ribs close to the 5th rib. The veal hotel rack, chine removed, blade bone out, shall be made by removing the chine bone (backbone) including the feather bones by cutting along the line where the ribs join the backbone and by removing the shoulder blade bone, including the shoulder blade cartilage.

(g) *Rib chops* means chops cut from the single veal hotel rack which has been severed from the forequarter and from which the inside protruding edge of the backbone shall be removed by sawing lengthwise of the rack through the inner extremity of the spinal cord groove. The rack shall be cut between the ribs into sections which may be of any desired size, but not less than four chops.

(h) *Shoulder, boneless*, means the 5-rib shoulder cut as described in this paragraph which has been boned. The 5-rib shoulder is made from the veal forequarter after the hotel rack has been removed as described in Appendix 2 (f) by cutting in a straight line starting at a point on the 5th rib not more than 4½ inches from the protruding edge of the chine bone on the inside, and cutting through a point at the end of the breast bone including the cartilage forward end of the first segment of the sternum. This cut will separate the shoulder from the breast and shank. When the shoulder has been separated from the breast, the only bone to show on the side of the shoulder other than the ribs is the arm bone. All bones shall be removed from the 5-rib shoulder.

(i) *Shoulder, boned, rolled and tied* means the 5-rib shoulder cut as described in Appendix 4 (h), which has been boned, rolled and tied in a cylindrical shape. All bones shall be removed from the 5-rib shoulder and the meat shall be rolled into a cylindrical shape and tied with cotton twine to make the veal shoulder, boned, rolled and tied. The loops shall be individually tied and spaced not more than 2½ inches apart throughout the length of the roll. Ragged portions shall be trimmed from the roll.

(j) *Boneless shoulder stew* means the 5-rib boneless shoulder as described in Appendix 4 (h) cut into small cubes of meat, which shall be approximately one inch in size and not contain more than one-fourth inch of fat.

(k) *Breast with pocket* means the veal breast remaining after removal from the forequarter of the hotel rack, shoulder, and

shank as described in Appendix 2 (f), 2 (g) and 2 (h), and with a slit or pocket made between the outer or meaty portion and the inner bony or intercostal portion, starting at the 12th rib end and extending to not more than one inch from both side edges and the anterior end of the cut.

(l) *Breast stew, bone-in* means small cubes of meat, which shall be approximately one inch in size, derived from the breast, from which the shank has been removed.

(m) *Boneless shank meat* means boneless meat from the veal foreshank. The shank is obtained by separation from the breast by a cut following the natural seam and leaving the entire lip or web muscle on the breast.

APPENDIX 5—VEAL VARIETY MEATS AND EDIBLE BY-PRODUCTS DEFINITIONS

When used in this regulation, the term (a) *Brains* means both brain lobes, the small knob at the base of the brain and a short piece of spinal cord approximately ¾ of an inch in length.

(b) *Caul fat* means the fat surrounding the stomach.

(c) *Cheek meat* means the lean muscle on the inside and outside of the lower jaw, trimmed free of the salivary glands, as removed from the head.

(d) *Diaphragm meat* means lean meat trimmed from the diaphragm muscle of the calf after the diaphragm has been cut from the carcass in dressing.

(e) *Feet scalded* means feet which have been cleaned and scalded and from which the hooves have been removed.

(f) *Feet green* means calf feet with the hair and hooves on.

(g) *Fries* means glands from male calves. They must be trimmed free of cords and thoroughly cleaned.

(h) *Gullet and weasand meat* means the lean meat trimmed from the esophagus and trachea (gullet and windpipe).

(i) *Haslet* means the lungs and heart naturally attached.

(j) 1. *Head skinned* means a calf head thoroughly cleaned with the entire skin, eyelids, and eardrums removed. The tongue shall be left in.

(j) 2. *Head, unskinned* means a calf head thoroughly cleaned with the tongue left in.

(k) *Head scalded* means heads thoroughly cleaned and scalded with the entire skin, eyelids and eardrums removed. The throat and nostrils shall be thoroughly flushed and the ragged edges of skin around the head and esophagus trimmed off. The tongue shall be left in.

(l) *Head meat* means the lean meat trimmed from calf heads.

(m) *Hearts* means hearts of all weights and color as removed from the pluck.

(n) *Heart trimmings* means lean meat trimmed from the heart.

(i) *Kidney, fat-on* means kidneys as removed from the carcass including the kidney knob.

(p) *Kidneys, fat-off* means kidneys free from spots and with all fat removed.

(q) *Lips (unscalded)* means the lips as removed from the calf which includes the meat and tissue from the side of the jaw.

(r) *Lips (scalded)* means lips which have been washed and scalded in accordance with good commercial practice.

(s) *Livers* means all veal livers (obtained from the slaughter of calves) weighing not more than 7½ pounds, bright and uniform in color, from light to chocolate brown, moderately short and plump and which are free from all mutilations other than minor cuts or slight skin breaks caused by the removal of the gall bladder, by separating the liver from the carcass, by hooks, or caused during the examination of the portal glands by MID inspectors, where such minor cuts or slight skin breaks do not impair the quality of the liver. The large blood vessel lying along the side of the liver shall be trimmed even with the surface of the liver.

(t) *Lungs* means lungs from calves as removed from plucks. The trachea (windpipe) is to be trimmed close to the body of the lung.

(u) *Melts* means the spleen which is located adjacent to the paunch.

(v) *Plucks* means the liver, heart, and lungs naturally attached; the liver to be free of spots; the trachea (windpipe) opened and cleaned free of blood clots; and the lungs cleaned.

(w) *Rennets* means the fourth stomach of the calf to be uncleaned and saved in accordance with MID regulations.

(x) *Rennets cleaned* means the fourth stomach of the calf cleaned in accordance with good commercial practice.

(y) *Sweetbreads, pairs (all weights)* means the heart and neck sweetbreads (thymus glands) naturally attached in pairs. They are to be trimmed reasonably free of fat and are to exclude those with blood stains and bruises.

(z) *Sweetbreads, broken pairs (all weights)* means both heart and neck sweetbreads trimmed free of connecting tissue and trimmed reasonably free of fat.

(aa) *Tails* means tails of all weights as removed from the calf except that they must be skinned.

(bb) *Tongues, short-cut,* means calf tongues trimmed so as to leave the epiglottis

on the tongue. The hinge bones are to be cut flush with the butt end of the tongue. The fat at the base of the tongue shall be trimmed smooth in removing the glands.

(cc) *Tongues scalded and skinned* means tongues trimmed free of fat which are scalded in accordance with good commercial practice and from which the skin is removed after scalding.

(dd) *Tongue meat* means trimmings derived from the tongue itself with no more than 20% trimmable fat. It shall not include gland fat or tissue.

(ee) *Tripe scalded* means the stomach thoroughly cleaned by washing and scalding in accordance with MID instructions or good commercial practice.

(ff) *Tripe cooked* means tripe which has been thoroughly washed and cooked, all excess fat shall be removed.

APPENDIX 6—OTHER VEAL PRODUCTS DEFINITIONS

When used in this regulation, the term (a) *Frozen semi-boneless veal* (military specifications) means veal derived from the grades and classes, and satisfying specifications and requirements contained in MIL-V-3063 ("Military Specification: Veal, Semi-Boneless, Frozen").

The seller shall place a sticker or stencil on the container, certifying the appropriate

grade of the product contained therein. By placing an official U. S. inspection stamp on the container, the official inspector shall attest the accuracy of the seller's certification.

(b) *Prefabricated retail cuts* means meat derived from veal or calf carcasses or wholesale cuts of prime, choice, good, commercial, or utility grade, which are separately wrapped in transparent, moistureproof paper, and have clearly visible a tag or other marking showing the name of the cut, the grade and the net weight of the meat contained in the package.

(c) *Kosher veal* means veal derived from calves slaughtered, approved and stamped as kosher under rabbinical supervision, and sold after preparation under Jewish dietary law.

(d) *Special veal product* means a veal product which (1) differs substantially from any veal product for which a ceiling price has been established under this regulation;

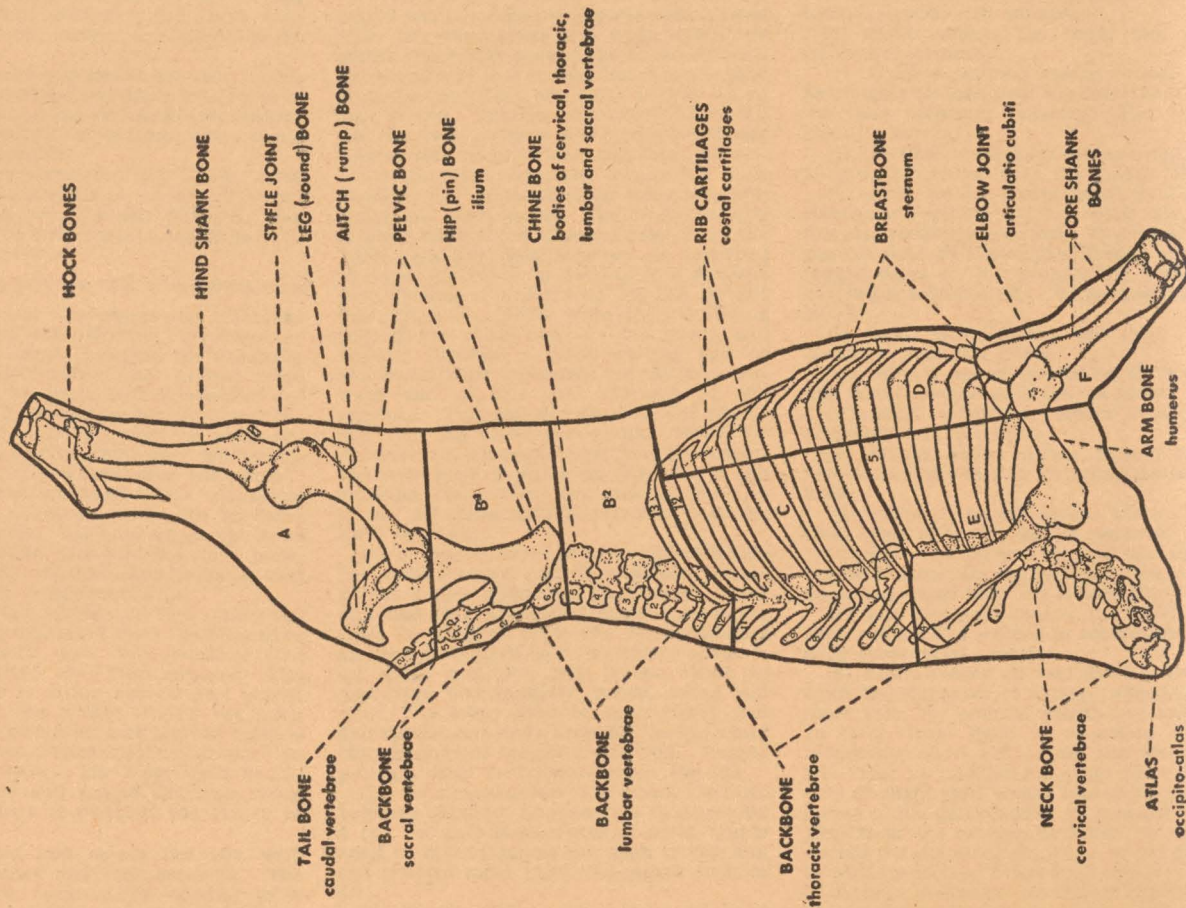
(2) Was sold in 1950 as a specialty product at a price substantially higher than the price for the most similar veal item for which a ceiling price has been established;

(3) Is contained in a distinctive wrapping or package bearing the weight of the cut, a list of the ingredients, the grade of veal used, and the name of the processor; and

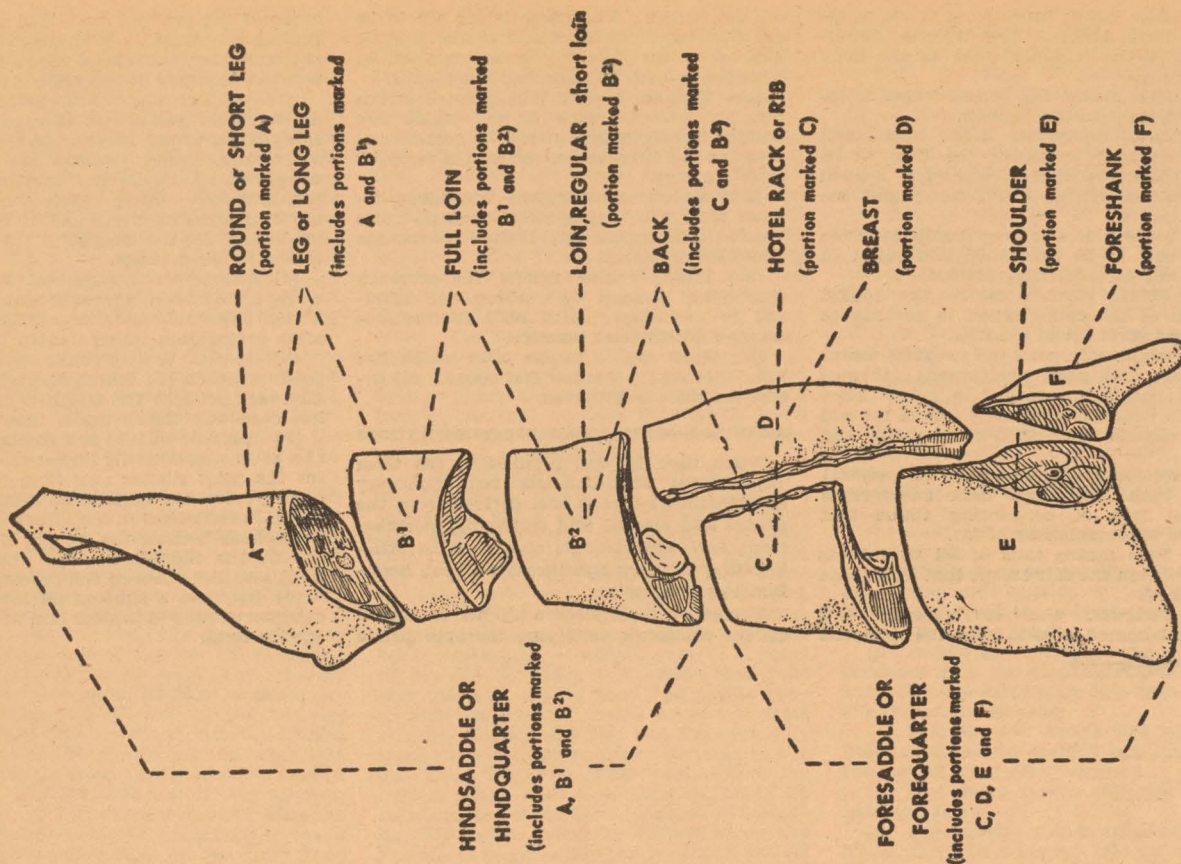
(4) Requires a substantial investment in equipment used to process and wrap or package the item.

APPENDIX 7- VEAL CUTTING CHARTS

Veal Skeletal Cutting Chart



(7a) Standard Veal Wholesale Cuts





[F. R. Doc. 51-14528; Filed, Dec. 4, 1951; 4:00 p. m.]

Chapter IV—Salary and Wage Stabilization, Economic Stabilization Agency

Subchapter A—Salary Stabilization Board [General Salary Stabilization Regulation 5]

GSSR 5—COMPENSATION OF SALES EMPLOYEES

STATEMENT OF CONSIDERATIONS

The methods by which sales employees are compensated vary to a marked extent. Generally, however, three major forms of compensation may be distinguished—straight salaries, straight commissions, and a combination of the two. Supplemental compensation may also be provided in the form of extra commissions or prizes for promoting certain lines of merchandise or otherwise stimulating sales.

Many companies allow salesmen a drawing account measured by their commissions on sales in the previous year, the drawing account often ranging from 60 percent to 75 percent of such commissions. A 70 percent figure has been determined by the Salary Stabilization Board as appropriate for companies which did not have such a practice accompanied by appropriate charge-off provisions, and this figure, with the 10 percent catch-up increase authorized for other employees, results in the 77 percent figure mentioned in this regulation.

With regard to the expenses of sales employees, practices also vary. For example, the employee may be reimbursed for actual expenses or may be granted an allowance based on the actual cost of specific expense items; or he may receive a fixed allowance not related to the cost of specific items or be required to pay expenses out of his compensation.

The Salary Stabilization Board does not believe that commission rates of employees subject to its jurisdiction should be permitted to increase, for such increases in commission rates usually result in permanently increased selling costs. On the other hand, the Board recognizes that hardship may result to sales employees who are dependent in whole or in part upon commissions in industries in which shortages of goods or services for civilian consumption have taken place or may take place. The Board also recognizes the length of time required to develop an efficient sales force and the necessity for employers to maintain, so far as consistent with defense manpower policies, the nucleus of an organized sales force during the emergency, prepared to perform its normal functions upon return to a full peacetime economy. Some provision must likewise be made for increases in normal sales expenses.

The problems presented by compensation practices for outside salesmen and for executive, administrative and professional employees performing "sales functions" usually differ essentially from the problems presented by compensation practices for sales employees subject to the jurisdiction of the Wage Stabilization Board. Since the problems are different, it is neither necessary nor desirable to have regulations that are in all respects parallel. On the other hand, in

the case of a few groups of sales employees, such as "driver salesmen", over which both Boards have jurisdiction, depending upon whether they are represented by a duly recognized or certified labor union, parallel treatment is desirable and contemplated. Driver salesmen are not included within the scope of this regulation and the Salary Stabilization Board plans to adopt for them the provisions of any regulation which may hereafter be adopted by the Wage Stabilization Board.

In the formulation of this regulation, due consideration has been given to the standards and procedures set forth in Titles IV and VII of the Defense Production Act, as amended; there has been consultation with industry and sales representatives, and consideration has been given to their recommendations.

REGULATORY PROVISIONS

Sec.

1. Scope of this regulation.
2. Application of other salary stabilization regulations.
3. Records to be kept by employers.
4. Sales employees compensated on a straight salary basis.
5. Sales employees compensated on a straight commission basis.
6. Sales employees compensated by a fixed salary plus commissions.
7. Sales contests and prizes.
8. Sales expenses.
9. Other adjustments for sales employees.

AUTHORITY: Sections 1 to 9 issued under sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110. Executive Order 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. Scope of this regulation. This regulation applies to employees subject to the jurisdiction of the Salary Stabilization Board (a) who are employed in the capacity of "outside salesmen" as that term is defined in regulations under section 13 (a) of the Fair Labor Standards Act, as amended, other than "driver salesmen" as that term is defined in the regulations issued under section 13 (a) (1) of the Fair Labor Standards Act, as amended, and (b) who receive compensation in the form of commissions on sales or business transactions as distinguished from bonuses within the scope of General Salary Stabilization Regulation 2. All such employees are referred to in this regulation as "sales employees."

SEC. 2. Application of other salary stabilization regulations. (a) The provisions of other salary stabilization regulations relating to compensation that may be paid to new employees or to employees who are promoted or transferred or who are assigned to new or changed positions shall, except as provided in paragraph (b) of this section, be applicable to sales employees.

(b) An employee assigned to a new territory or a new product may be paid compensation not in excess of the employer's past practice for such territory or product or, if none exists, in accordance with industry or area practice.

SEC. 3. Records to be kept by employers. Employers shall keep records sufficient to establish compliance with this regulation. Such records shall be kept

for three years following each calendar year in which adjustments in the compensation of sales employees are made under this regulation, for the purpose of such inspection and the preparation of such reports as the Office of Salary Stabilization may authorize or require.

SEC. 4. Sales employees compensated on a straight salary basis. The provisions of other general salary stabilization regulations permitting general increases or individual adjustments in salaries and other compensation shall be applicable to sales employees compensated upon a straight salary basis.

SEC. 5. Sales employees compensated on a straight commission basis. (a) Variations in earnings of individual sales employees resulting from the normal operation of a plan or practice in effect on January 25, 1951, for the payment of commissions on sales or business transactions are permissible, provided that such earnings shall not be increased as the result of a change, subsequent to January 25, 1951, in the commission rate or in the method or formula for the computation of the commissions.

(b) A sales employee who is compensated by commissions only may receive increases in his drawing account or salary against commissions or, if he does not receive such a drawing account or salary against commissions, may be paid a drawing account or salary against commissions not to exceed seventy-seven percent (77%) of his total earnings in the calendar year 1950 or of the average of his total earnings in any three out of the five calendar years 1946 to 1950. The drawing account or salary against commissions may be paid on a weekly, monthly, or other basis in accordance with the employer's last practice. The drawing account or salary against commissions shall be charged against the total commissions which the sales employee is entitled to receive in the current calendar year and may be paid although during the current calendar year the amount of the drawing account or salary against commissions may exceed his total commissions during that year. If the drawing account or salary against commissions thus paid exceeds total commissions in any calendar year, the employer may release the sales employee from liability for the difference at the end of such year.

SEC. 6. Sales employees compensated by a fixed salary plus commissions. (a) A sales employee who is compensated by a fixed salary plus commissions may receive an increase in his fixed salary to bring the salary to an amount not to exceed seventy-seven percent (77%) of his total earnings (including both salary and commissions) in the calendar year 1950 or of the average of his total earnings in any three out of the five calendar years 1946 to 1950. The fixed salary shall continue to be paid on a weekly, monthly, or other basis in accordance with the employer's past practice. Any resulting increase in the fixed salary shall be charged against and deducted from the total commissions earned by the sales employee in the current calendar year and may be paid although dur-

ing the current calendar year the increase in fixed salary may exceed his total commissions during that year. If the increase in the fixed salary thus paid exceeds total commissions in any calendar year, the employer may release the sales employee from liability for the difference at the end of such year.

(b) In lieu of an increase in fixed salary under paragraph (a) of this section or in the event that a sales employee's fixed salary exceeds seventy-seven percent (77%) of his total base period earnings, the employer may adjust the fixed salary of an employee on a salary plus commission basis in accordance with the provisions of other salary stabilization regulations permitting general increases or individual adjustments in salaries and other compensation.

SEC. 7. Sales contests and prizes. An employer who had an established practice on or before January 25, 1951, in the use of special sales contests or prizes may continue or resume his established practice, but the total amount expended during the current calendar year shall not exceed the total amount expended in the year 1950 or the average expended during any three out of the five calendar years 1946 to 1950.

SEC. 8. Sales expenses. (a) An employer who had an established practice on January 25, 1951, of reimbursing a sales employee for actual expenses incurred by him may continue to reimburse him upon an actual expense basis even though the amount is increased, provided the increase is due exclusively to increases in the cost of the expense items previously reimbursed.

(b) An employer who had an established practice on January 25, 1951, of paying a fixed expense allowance to defray the actual cost of a specific facility, such as a mileage allowance for the operation of an automobile or an allowance for the cost of hotel accommodations, may increase the fixed allowance by an amount not exceeding an actual increase in cost since January 25, 1951, of the same facility.

SEC. 9. Other adjustments for sales employees. The Office of Salary Stabilization is authorized to approve adjustments in compensation or expense allowances of sales employees, to increase a fixed expense allowance or compensation to reflect an actual increase in the cost of the expense items required to be paid by sales employees and generally to correct hardships or inequities in accordance with the purposes of this regulation. Upon any such application the Office of Salary Stabilization may give appropriate consideration to increases in the employer's sales during the current year as compared to the calendar year 1950 and to the total amount paid sales employees for their expenses during the calendar year 1950, adjusted for any increase or decrease in the number of sales employees.

NOTE: The record keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Adopted by the Salary Stabilization Board on November 29, 1951.

JUSTIN MILLER,
Chairman.

[F. R. Doc. 51-14503; Filed, Dec. 4, 1951;
11:07 a. m.]

Subchapter B—Wage Stabilization Board

[General Wage Regulation 14, Amdt. 2]

GWR 14—BONUSES

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong., Pub. Law 96, 82d Cong.), Executive Order 10161 (15 F. R. 6105), Executive Order 10233 (16 F. R. 3503), and General Order No. 3, Economic Stabilization Administrator (16 F. R. 739), General Wage Regulation No. 14 is amended by adding the following new section 5:

SEC. 5. Christmas or year-end bonuses. (a) Any employer who paid a Christmas or year-end bonus for 1950, computed on the basis of a proportion of an employee's wages or salary, may continue such bonus payments in accordance with his 1950 practice except that, if any such bonus payment to an individual employee, together with all other bonus payments made pursuant to any section of this regulation to such employee during the bonus year is 25 percent or more of his total wages, salary and other compensation, excluding bonuses, prior Board approval shall be required for such bonus payment.

(b) Any employer, without prior Board approval, may pay any of his employees a 1951 Christmas or year-end bonus either in cash or in kind not exceeding \$40.00 in value, even though a lesser bonus or no bonus was paid in the preceding bonus year. Such bonus payments need not be offset against the amount permissible under General Wage Regulation 6. If a Christmas or year-end bonus greater than \$40.00 was paid in the preceding bonus year, such bonus may continue to be paid subject to the provisions of this regulation.

(Sec. 704, 64 Stat. 816, as amended; 50 U.S.C. App. Sup. 2154)

Adopted unanimously, November 27, 1951.

NATHAN P. FEINSINGER,
Chairman,
Wage Stabilization Board.

[F. R. Doc. 51-14517; Filed, Dec. 4, 1951;
11:34 a. m.]

Chapter XVIII—National Shipping Authority, Maritime Administration, Department of Commerce

[NSA Order No. 52 (DRO-35)]

DRO-35—RATES ON COAL IN BULK FROM HAMPTON ROADS, BALTIMORE, PHILADELPHIA, CHARLESTON OR MOBILE TO SWEDEN

Sec.

1. What this order does.
2. Freight rates and charter terms and conditions required under "WARSHIPVOY" form of charter as revised August 15, 1944.

AUTHORITY: Sections 1 and 2 issued under sec. 204, 49 Stat. 1987, as amended; 46 U. S. C. 1114.

SECTION 1. What this order does. This order hereby authorizes the following freight rates and charter terms and conditions for the transportation of full cargoes of Coal, in bulk, under "WARSHIPVOY" form of charter as revised August 15, 1944, in vessels operated for account of the National Shipping Authority, from Hampton Roads, Baltimore, Philadelphia, Charleston or Mobile to a port of discharge in Sweden, effective on vessels commencing to load on and after December 1, 1951.

SEC. 2. Freight rates and charter terms and conditions required under "WARSHIPVOY" form of charter as revised August 15, 1944:

[All rates in U. S. currency per ton of 2,240 pounds]

1. From Hampton Roads, Baltimore, Philadelphia, or Charleston:	
Gothenburg/Malmö range.....	\$11.70
East Coast Sweden, not North of Stockholm	12.60
2. From Mobile:	
Gothenburg/Malmö range.....	13.20
East Coast Sweden, not North of Stockholm	14.10

NOTE: Foregoing rates apply to cargoes loaded at one port and discharged at one port; for more than one port of loading or discharge, within the same general area or range, add fifty cents (50¢) U. S. currency per ton for each such additional port, the total rate thus formed to apply on the entire cargo. Cargoes for more than one port of loading or discharge shall be subject to negotiation and mutual agreement between the owner and the charterers.

The following clauses are to be inserted in paragraphs E, F, G, H, and I of Part I of "WARSHIPVOY":

E. Freight rate. (Insert applicable rate as above set forth, including, if applicable, additions for extra ports of discharge.)

Freight fully prepaid in the United States on bill of lading quantity and to be considered due and payable and earned on the cargo as taken aboard, vessel and/or cargo lost or not lost.

Demurrage. Charterers to pay demurrage at the rate of \$.....¹ per day for each and every day or pro rata for part of a day for all time used in loading or discharging in excess of allowed laytime.

Despatch. Despatch if earned at loading or discharging port will be payable at the rate of one-half (½) the demurrage rate per day or pro rata for part of a day for all laytime saved in loading or discharging.

F. Stevedoring. Loading and trimming expenses shall be for vessel's account at Hampton Roads, Baltimore, Philadelphia or Charleston and for charterer's account at Mobile; discharging expenses shall be for charterer's account.

G. Loading time. Loading to be at the rate of 1,500 tons per day, Sundays and holidays excepted unless used.

H. Discharging time. Cargo shall be discharged at the rate of 1,200 tons per day, Sunday and holidays excepted unless used. Time lost in discharging due to weather preventing discharge shall not count as laytime.

I. Special provisions. 1. "Taxa Hannavigter" shall be for charterer's account.

¹ Insert applicable demurrage rate, i. e., fifteen hundred dollars (\$1,500) for Liberty type vessels and eighteen hundred dollars (\$1,800) for Victory type vessels.

2. Charterers have the option of shipping not more than 250 tons of coke at the same rate of freight as the Coal, charterers paying all additional expenses.

3. Any lightening required to enable vessel to reach her destination to be at charterer's risk and expense and time occupied to count as laytime.

4. *General average clause.* The adjustment and settlement of general average claims, pursuant to Clause 21, Part II shall be governed by the York-Antwerp Rules of 1950, exclusive of Rule 22.

5. Wherever the words "United States Maritime Commission" appear in Part II hereof same shall be understood to mean National Shipping Authority.

6. This contract is subject to the approval of the National Shipping Authority.

Date of approval: November 27, 1951.

[SEAL] C. H. MCGUIRE,
Director,
National Shipping Authority.

[F. R. Doc. 51-14439; Filed, Dec. 4, 1951;
8:52 a. m.]

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 13—ADMISSION, GUIDE, ELEVATOR, AND AUTOMOBILE FEES

REST HOUSE FEE

Section 13.14 entitled *Rest house fee* is revoked.

(39 Stat. 535; 16 U. S. C., sec. 3)

Issued this 28th day of November 1951.

R. D. SEARLES,
Acting Secretary of the Interior.

[F. R. Doc. 51-14394; Filed, Dec. 4, 1951;
8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 10—STEAM ROADS: UNIFORM SYSTEM OF ACCOUNTS

MISCELLANEOUS AMENDMENTS

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 27th day of November A. D. 1951.

The matter of modifying the "Uniform System of Accounts for Steam Railroads, Issue of 1943," being under consideration pursuant to section 20 of the Interstate Commerce Act, as amended (24 Stat. 386, 54 Stat. 917, 49 U. S. C. 20 (3)); and

It appearing, that on October 31, 1951, all steam railroads subject to the act, were given notice that the modifications which are set forth below had been approved, such notice also being published in the FEDERAL REGISTER on November 6, 1951 (16 F. R. 11287) pursuant to the provisions of section 4 of the Administrative Procedure Act; and,

It further appearing, that according to the notice objections to such modifications could be filed on or before November 26, 1951, and after full consideration of all representations so received; *It is ordered, That:*

(1) *Effective date.* The modifications set forth below shall become effective January 1, 1952.

(2) *Notice.* A copy of this order including the modifications set forth below shall be served on every steam railroad subject to the act and on every trustee, receiver, executor, administrator, or assignee of any such steam railroad, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(Sec. 12, 24 Stat. 383, as amended; 49 U. S. C. 12. Interprets or applies sec. 20, 24 Stat. 386, as amended; 49 U. S. C. 20)

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

1. In § 10.108 *Other passenger-train*, delete Item (a) from the List of Items following the text and substitute the following for it:

(a) The carrier's proportion of contract revenue derived from the operation over its line of sleeping, parlor, chair, observation, and other special passenger-train cars, owned and operated by companies other than The Pullman Company.

2. In § 10.403 *Operating sleeping cars*, designate the present text of this account paragraph (a) and preceding the note thereto insert the following as a new paragraph (b), so that the section preceding the note reads as follows:

§ 10.403 *Operating sleeping cars.* (a) This account shall include the cost of operating sleeping car service on trains.

(1) *Superintendence.* The pay of officers directly in charge of operating sleeping car service; the pay of their clerks and office attendants; also the office, traveling, and other expenses of such officers and employees.

(2) *Station employees.* The pay and expenses of local agents, ticket agents,

cashiers, clerks, and attendants; also the office and other expenses of such employees.

(3) *Station expenses.* The expenses of fuel, water, steam, and supplies used in heating station offices; gas, oil, electric current, and other supplies for lighting; repairs and renewals of station furniture, and all other station expenses connected with sleeping car service when separable from the station expenses chargeable to account 376, "Station supplies and expenses."

(4) *Conductors.* The pay of conductors employed on sleeping cars.

(5) *Porters and maids.* The pay of porters and maids employed on sleeping cars.

(6) *Car supplies.* The cost of miscellaneous supplies used on sleeping cars, such as combs, brushes, brooms, and toilet paper; also uniforms, caps, and service stripes for employees.

(7) *Laundry.* Expenses for laundry work, such as laundering sheets, pillowcases, towels, blankets, etc.

(8) *Other expenses.* The cost of flowers and plants, heating cars, cleaning the interior of cars, and of supplies used in interior cleaning, rent and cost of supplies for rooms furnished for sleeping car service employees, and such other expenses in connection with the operation of sleeping cars as are not provided for elsewhere.

(b) This account shall be charged with the deficits assumed by the carrier under a uniform service contract with The Pullman Company, and shall be credited with the carrier's proportion of profits realized under that contract. It is intended that such charges and credits to this account shall include the entire settlement made by the lessee, except allowances for interest rental and depreciation, and that the results of incidental operation of cars other than sleeping cars will not be excluded from the settlements to be recorded herein.

3. In § 10.538 *Rent for passenger-train cars*, without disturbing the parenthetical cross reference or the notes, delete the text of this account and substitute the following for it:

§ 10.538 *Rent for passenger-train cars.* This account shall include amounts payable accrued for the use of the passenger-train cars of others, leased or interchanged, except as provided for in the classification for investment in road and equipment and in the text of account 542, "Rent for leased roads and equipment."

[F. R. Doc. 51-14406; Filed, Dec. 4, 1951;
8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing
Administration

[P. & S. Docket Nos. 553, 554, 555]

NEW JERSEY COOP CO., INC., ET AL.

NOTICE OF PETITION FOR MODIFICATION OF
RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued on December 20, 1949 (8 A. D. 1342), continuing in effect through December 31, 1951 the order of December 27, 1948 (7 A. D. 1195), which authorized the respondents to put into effect a charge of 85 cents per coop for the rental of coops to the live poultry industry. The order of December 20, 1949, also continued the monthly reporting requirement of prior orders.

By petition filed November 19, 1951, the respondents requested that the existing rate order be modified so as to permit them to "permanently increase the rental charge for coops from 85 to 90 cents." The respondents further requested that such proposed rate increase be made effective so soon as possible and that it remain in effect until such time as it is deemed necessary to change the same. The effect of such increase in the rate for coop rental, if authorized, would be to increase the revenue of the respondents. It appears, therefore, that public notice of the filing of the petition should be given in order that all interested persons may have an opportunity to be heard in the matter.

All interested persons who desire to be heard in the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within fifteen days from the date of publication of this notice.

Done at Washington, D. C., this 30th day of November 1951.

[SEAL]

KATHERINE L. MASON,
Hearing Clerk.[F. R. Doc. 51-14437; Filed, Dec. 4, 1951;
8:52 a. m.]

[P. & S. Docket No. 1558]

MISSISSIPPI VALLEY STOCKYARDS, INC.

NOTICE OF PETITION FOR MODIFICATION OF
RATE ORDER

Pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), an order was issued in this proceeding on November 15, 1950 (9 A. D. 1320), amending and extending prior orders and authorizing the respondent to assess the current rates and charges for stockyard services to and including March 6, 1952.

By a petition filed on November 19, 1951, as amended by a document filed on November 20, 1951, the respondent requested authority to file an amendment

to its current tariff establishing rates for yardage services as indicated under the heading "Proposed Rates" in the tabulation below. The respondent further requested that the proposed rates, if authorized, be made effective as soon as possible.

	Current rates (per head)	Proposed rates (per head)
Yardage on all classes of original receipts and resales in commission division:		
Bulls (800 pounds and over).....	\$1.00	\$1.25
Cattle.....	.75	.82
Calves (under 400 pounds).....	.46	.49
Hogs.....	.27	.29
Sheep and goats.....	.18	.19
Horses and mules.....	.50	1.00
Livestock consigned direct to packers:		
Bulls.....	.50	.62
Cattle.....	.37	.40
Calves (under 400 pounds).....	.23	.24
Hogs.....	.14	.15
Sheep and goats.....	.09	.09
Livestock resold by commission firms:		
Bulls.....	1.00	1.25
Cattle.....	.75	.82
Calves (under 400 pounds).....	.46	.49
Hogs.....	.27	.29
Sheep and goats.....	.18	.19
Livestock resold on local market by dealers:		
Bulls.....	.24	.25
Cattle.....	.19	.20
Calves (under 400 pounds).....	.13	.14
Hogs.....	.07	.08
Sheep and goats.....	.05	.06
Livestock resold by dealer and shipped:		
Bulls.....	.11	.12
Cattle.....	.09	.10
Calves (under 400 pounds).....	.06	.07
Hogs.....	.04	.05
Sheep and goats.....	.04	.05

The authorization, if granted, will produce additional revenue for the respondent and increase marketing costs to shippers. Accordingly, this notice of the petition for modification is given to the public.

All interested persons who wish to be heard upon the matter shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within 15 days after the publication of this notice.

Done at Washington, D. C., this 30th day of November 1951.

[SEAL]

KATHERINE L. MASON,
Hearing Clerk.[F. R. Doc. 51-14436; Filed, Dec. 4, 1951;
8:51 a. m.]

[7 CFR Part 968]

[Docket No. AO-173-A5]

HANDLING OF MILK IN THE WICHITA,
KANS., MARKETING AREANOTICE OF RECOMMENDED DECISION AND OP-
PORTUNITY TO FILE WRITTEN EXCEPTIONS
WITH RESPECT TO A PROPOSED AMENDMENT
TO THE TENTATIVE MARKETING AGREEMENT,
AND TO THE ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.),

and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Wichita, Kansas, marketing area. Interested parties may file written exceptions to his decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 10th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The hearing, on the record of which the proposed amendment to the tentative marketing agreement and to the order, as amended, was formulated, was conducted at Wichita, Kansas, on August 9, 1951, pursuant to notice thereof which was issued on July 31, 1951 (16 F. R. 7627).

The material issues of record related to:

- (1) The classification of concentrated milk;
- (2) Differentials to be added to basic formula prices in determining prices for Class I and Class II milk;
- (3) The price of Class III milk;
- (4) Provisions applicable to handlers subject to other Federal orders who distribute milk priced under such orders in the Wichita marketing area;
- (5) Definitions of "approved dairy farmer" and "approved plant"; and
- (6) The classification of milk transferred to unapproved plants.

By a decision of the Secretary of Agriculture issued on August 21, 1951 (16 F. R. 8551) and subsequent amendment to the order effective September 1, 1951, action has been taken with respect to the differentials to apply in the determination of Class I and Class II milk prices (Issue No. 2) for the period through December 31, 1951. Such decision, however, specifically reserved for later decision the evidence with respect to any change in such differentials for periods subsequent to December 31, 1951.

Findings and conclusions. The findings and conclusions with respect to these material issues, all of which are based on the evidence introduced at the hearing and the record thereof, are as follows:

1. Fresh concentrated milk and milk drinks disposed of for fluid consumption should be classified as Class I milk on the basis of their volume before concentration.

Fresh concentrated milk for fluid consumption is a product that has appeared in several milk markets in recent months. The product is promoted as a direct and acceptable substitute for fresh whole milk, indistinguishable from regular

fluid milk when water is added. The record indicates that while it has not yet been sold in Wichita, health regulations would require that it be processed from approved milk. It appears desirable that the product be specifically named in the order as a Class I product, and that the order specify the volume of milk to be classified as Class I milk when sold as concentrated milk or milk drinks. The latter should be the volume of milk used to produce the concentrated product sold.

2. The differentials to be added to basic formula prices in determining Class I and Class II prices should be increased, and provision should be made for automatically adjusting Class I and Class II prices in response to changes in the relationship between market supply and demand.

The Class I price of the Wichita order (except for the emergency action resulting from this hearing) is determined by adding \$1.45 to the basic formula price for all months except April, May and June, for which months \$1.00 is added. For Class II milk the differentials added to basic formula prices are 25 cents less than those for Class I milk.

Producers proposed that the Class I price differential should be \$1.85 for all months of the year, and that the Class II price differential should be \$1.60.

Upon the basis of the record of this hearing, action has been taken to establish Class I differentials of \$1.80 for the months of September through December 1951, with Class II differentials \$1.55 for the same months. This action was taken on the basis of the extent to which the supply of milk is currently out of balance with demand for milk, a subnormal supply of home grown feeds for the fall and winter season, and the need for additional time to permit analysis of the factors involved in longer range pricing problems of the market.

Analysis of the factors which appear to have contributed to the present prospect of an acute shortage of milk supplies in the Wichita market indicates that certain of these will continue over a long period of time and that others will be of shorter duration. The Wichita market appears to have a permanent increase in population, for which a larger total supply of milk will be required regularly. The additional increases in population and incomes currently taking place are largely associated with present defense efforts and may be expected to continue so long as the necessity for such efforts exists. On the other hand, present prospects for feed supplies will likely affect milk supplies through the coming winter feeding season.

It is concluded that the differentials of \$1.80 for Class I milk and \$1.55 for Class II milk should be continued through March 1952 in order that the price level established for the fall months may be continued throughout the current winter feeding season. Thereafter, Class I and Class II differentials should be somewhat higher than those previously in effect and automatic adjustment should be provided which will vary Class I and Class II prices in response to changes in the relationship between market supply and demand.

The present differentials became effective January 1, 1949. Since 1948, Class I and Class II milk sales have increased more than forty percent. In 1949 and 1950 production increased faster than did sales so that in 1950 the Wichita market had a supply of milk that was almost adequate throughout the year, in contrast to shortages that had prevailed in previous years. From 1950 to 1951 however the rate of increase in sales has accelerated (19.5 percent increase in sales for July 1951 over those of July 1950) while production has been stationary, despite excellent pasture conditions through July.

An expansion of the area from which Wichita draws its milk supplies appears to be necessary if the continuing market needs are to be supplied under normal conditions. The most logical areas appear to be to the north and to the east in the area from which cities of the Neosho Valley market draw their milk supplies. At present Wichita receives about 12,000 pounds of milk daily from counties proposed for inclusion in the Neosho Valley marketing area. This area is distant from Wichita and hauling costs are substantially greater to Wichita than to the nearby markets. With a more stable pricing mechanism in prospect for the Neosho Valley market, producers in this area will likely continue to supply Wichita only at a difference in price sufficient to cover at least the difference in transportation to market. Differentials of \$1.65 for Class I milk and \$1.40 for Class II milk would appear to provide opportunity for expansion of the Wichita milkshed and additional incentive to producers within the principal area of production to increase their production under normal conditions. Such differentials represent an average increase of 31.25 cents above those previously in effect.

It was proposed that the Class I and Class II differentials be the same for all months of the year. In support of this proposal it was argued that the seasonal variation in production is presently much less than for many markets, that seasonal changes in differentials have at times in the past been offset by premiums from handlers, that some seasonality of Class I and Class II prices results from changes in basic formula prices and that seasonal changes in resale prices cannot be shown to have increased sales in spring and summer months. It was further urged that the base plan of the Wichita order was the factor that has brought about a decreased seasonal variation in production. No testimony was offered in opposition to this proposal. While a comparison of the pricing and base-rating provisions of the order proposed for the Neosho Valley market and those of the Wichita order including this proposal indicates that there may be increased attraction to the Wichita market in the months of flush production, it is concluded that this fact alone does not warrant denying the proposal. It is therefore concluded that the Class I differential should be \$1.65 and the Class II differential should be \$1.40 during each month of the year.

These differentials should be further adjusted on the basis of the relationship

between receipts of approved milk from producers and Class I and Class II sales. If the market is less than normally supplied, the differentials should be increased in order to attract a greater supply of milk. Conversely, if the market is more than normally supplied the differentials should be reduced. A "supply-demand" adjustment of differentials will adjust prices to changing conditions which otherwise would require hearing procedures.

An analysis of changes in production and sales in the market indicates that any adjustment made should reflect conditions as currently as possible. The use of the last two months for which data are available when Class I and Class II prices are customarily announced appears to provide a satisfactory indication of current conditions. The use of a supply-demand ratio of two months requires the establishment of a representative relationship of producer receipts to Class I and Class II utilization by successive two-month periods. The records of the market would indicate that the period from February 1950 through January 1951 was the period when the Wichita market was more nearly adequately supplied than at any other time. The ratio of receipts to sales during this period, adjusted upward slightly to compensate for the fact that supplies were not fully adequate, is one basis for establishing such a representative relationship. Another can be constructed from the historical seasonal variations in sales, and the seasonal variation in producer receipts for 1949 and 1950, with a barely adequate supply in the months of lowest production. The record would indicate that on a monthly basis a supply of milk approximately 108 percent of Class I and II sales is necessary to compensate for daily and weekly variations in receipts and sales. The representative ratio herein decided is a composite of those arrived at by both of these methods. This ratio is as follows:

2-month period	Representative ratio	Month for which such ratio would be used in adjusting prices
January-February.....	115	April.
February-March.....	120	May.
March-April.....	125	June.
April-May.....	130	July.
May-June.....	133	August.
June-July.....	135	September.
July-August.....	130	October.
August-September.....	118	November.
September-October.....	108	December.
October-November.....	109	January.
November-December.....	110	February.
December-January.....	112	March.

If the comparable ratio in the second and third months preceding the month for which prices are being computed varies 3 percent or more from those shown above the price should be adjusted in the reverse direction—downward if the current ratio exceeds that shown above, and upward if the reverse is true. For each full percentage point of variation in excess of two percentage points Class I and Class II prices should change 2 cents, with a maximum adjustment of 40 cents. Some variation

from the representative relationship should be permitted before any adjustment is made, in order to provide for random variations in supply and sales, hence no adjustment is provided for variations of less than three full percentage points. Analysis of past changes in production and sales indicates adjustment at the rate of 2 cents per percentage point, coupled with the revised differentials herein provided, would have produced reasonable prices. It is provided that adjustments on the basis of changes in supply and demand should first be effective for July 1952 prices in order that any periods upon which such adjustments are based be after the winter feeding season for which emergency pricing has been provided.

Under the Wichita order those plants whose receipts and sales are to be included in the pool are determined by performance requirements which vary seasonally. As a result, within the past year one plant has at times been included in the pool and at other times has not. Provision should be made in the supply-demand adjustment so that changes in Class I and II prices in the market do not occur solely as a result of the "pool plant" provision. The most logical basis is to include in the computation of the supply-demand adjustment only the receipts and sales of those plants which have been "pool plants" for each of the past 12 months for which they have been approved for the market. The data used in constructing the representative ratio has been adjusted on this basis.

3. The price for Class III milk should be the butter-powder formula price of the order, less 15 cents per hundredweight for the months of April through July only, but should not be less than the average prices paid for ungraded milk at the three manufacturing plants now used to determine Class III prices.

The price for Class III milk is presently determined from the prices paid for ungraded milk at three nearby manufacturing plants. Producers proposed to substitute the paying prices of a fourth plant for those of one of these three plants and the addition of 10 cents per hundredweight.

The volume of producer milk in Class III on the Wichita market has never been very substantial. For 1950, the year in which the volume of such milk was greatest, it was less milk than the total of what handlers reported as plant shrinkage and as used in the manufacture of ice cream; records for January and July 1950 indicate that this was true in both the winter and the summer season. The record indicates that ice cream is a Class III product from which handlers realize a relatively high value.

The present Class III price for the first six months of 1951 has averaged considerably less than the average prices officially reported as paid Kansas farmers for 3.8 percent milk for manufacturing uses, being 36 cents less than the average price for milk used in the manufacture of butter and creamery by-products, 27 cents less than the average price paid for milk used in making American cheese, and 30 cents less than the average price paid for milk used in making

canned and evaporated milk. These differences have largely developed since 1949 when the average Class III price was 7 cents higher than the cheese plant average price, 4 cents higher than the condensery average price, and 8 cents less than the butter plant average price. The present Class III price is much less representative of the general level of prices for manufacturing milk in the area than it was in 1949. The state average prices are now much closer to the butter-powder formula price of the order than they were in 1949, while the Class III price has decreased somewhat relative to the butter-powder formula price. For the first six months of 1951 the butter-powder formula price exceeded the Class III price by an average of 33.5 cents; in 1949 it exceeded the Class III price by an average of 29 cents.

The producer proposal would have increased the Class III price by 22 cents for the first six months of 1951. A somewhat greater increase would be required to bring the Class III price equal to the current level of Kansas manufacturing milk prices. The butter-powder formula price of the order appears to be a reasonable basis for determining the value of Class III milk, particularly during periods of relatively short supply. However, during the months of April through July, when supplies of manufacturing milk in the area are more abundant a seasonal reduction of 15 cents should apply as an assurance that all approved milk not needed for fluid use will continue to be handled. The Class III price in no event should be less than the average paying price of the three local plants now named in the order. These provisions appear to provide a more logical basis for the Class III price than the proposal to add an arbitrary amount over the paying prices of selected plants. They are consistent with provisions recently incorporated in the orders for the nearby Kansas City and Oklahoma City markets.

4. Provision should be included in the order that milk which is priced under another Federal order will not be pooled under the Wichita order when a handler subject to the other order makes direct disposition of such milk as Class I or Class II milk in the marketing area, and to require such handler to pay into the pool any amount by which his cost of milk so disposed of is less than the prices of the Wichita order.

Currently the Wichita order makes no provision for the possibility that a plant which is subject to the regulatory provisions of another milk marketing agreement or order may be approved for Wichita and make direct disposition of Class I or Class II milk in the marketing area. It would be impracticable to attempt to regulate the handler operating such a plant under two separate orders with respect to the same milk. While there are no present indications that such disposition of milk will be made in Wichita, the recent issuance of orders for nearby markets makes it desirable that provisions be adopted at this time. It appears reasonable that the effective regulation should be that of the area in which such a handler makes the greater portion of his sales, and that if the han-

dlar disposes of the greater portion of his sales in another regulated area he should be partially exempt from the provisions of the Wichita order. In order to insure equity among handlers, such a handler should not be permitted to purchase milk for sale as Class I or Class II milk in either area at less than the price paid by regulated handlers of the area. Therefore, it should be provided that if the price such handler is required to pay under the other order for milk classified as Class I or Class II milk under the Wichita order is less than the price provided by the Wichita order, he should pay to the producer-settlement fund an amount equal to the difference on all milk disposed of as Class I or Class II milk within the marketing area. Such handler should also be required to report to the market administrator regularly so that the amount of milk disposed of within the marketing area may be ascertained.

5. The definitions of "approved dairy farmer" and "approved plant" should be amended to recognize permits and approvals issued by the health authorities of Sedgwick County, Kansas.

Recent legislation has authorized the health authorities of Sedgwick County, Kansas, to issue producer permits and plant approvals for Grade A milk sold within three miles of the city limits of Wichita. This area is wholly within the presently defined marketing area. It is appropriate therefore that the "approved dairy farmer" and "approved plant" definitions of the order be amended to specify this health authority as well as that of the City of Wichita in the determination of what milk will be priced under the order.

6. The provisions for classification of milk, skim milk and cream transferred from an approved plant to an unapproved plant should be revised.

The present provisions of the order classify milk and skim milk as Class I milk and cream as Class II milk, if moved to an unapproved plant more than 100 miles distant. Transfers to unapproved plants within 100 miles which distribute fluid milk and cream are classified in the highest use remaining in such plants after giving priority to the receipts of milk direct from the farmers who regularly supply it. Transfers to unapproved plants within 100 miles which do not distribute fluid milk or cream are classified as Class III milk. There is, however, an overriding exception to these rules which classifies as Class III milk that sold as "type C for manufacturing only" from any approved plant which regularly receives "type C" (ungraded) milk up to the extent of the receipts of such milk.

The record indicates no necessity for moving milk or skim milk more than 100 miles for manufacturing purposes. Cream, however, may be moved much greater distances and there is an active demand at some seasons for ice cream in markets more than 100 miles distant. Some provision should be made to permit Wichita handlers to compete for these markets without paying producers Class II (fluid cream) prices for the milk from which such cream is separated. Grade A certification is required by most mar-

kets in this area of the country for cream imported for use as fluid cream. Therefore, it appears appropriate to classify as Class II milk that cream moved under Grade A certification to unapproved plants more than 100 miles distant and as Class III milk if so moved without Grade A certification.

The exception with reference to ungraded receipts at approved plants appears to classify milk more on the basis of receipts than of movement or utilization. The allocation provisions of the order would appear to make unnecessary any special classification provisions for plants receiving ungraded milk if so changed as to recognize that Class II milk (other than that disposed of to unapproved plants) is required by local health regulations to be from producer sources when they are available. It is therefore concluded that the exceptions for plants receiving ungraded milk should be deleted and the allocation provisions changed to provide that other source milk should be deducted from Class I sales to unapproved plants before being deducted from local Class II sales. In conformity with this conclusion a provision concerning the classification of milk received from producer handlers is also deleted.

General findings. (a) The proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, and all of the terms and conditions thereof will tend to effectuate the declared policy of the act;

(b) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk, in the marketing area and the minimum prices specified in the proposed marketing agreement and the order, as amended, and as hereby proposed to be further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(c) The proposed order, as amended, and as hereby proposed to be further amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

Rulings on proposed findings and conclusions. Rulings on proposed findings and conclusions are not necessary to this decision since neither briefs nor proposed findings and conclusions were filed by interested parties with respect to the issues of the hearing.

Recommended marketing agreement and amendments to the order. The following amendments to the order are recommended as the detailed and appropriate means by which the foregoing conclusions may be carried out. The recommended marketing agreement is not included in this decision because the regulatory provisions thereof would be identical with those contained in the

order, as amended, and as hereby proposed to be further amended.

1. Delete § 968.5 and substitute therefor the following:

§ 968.5 *Approved dairy farmer.* "Approved dairy farmer" means any person who holds a currently valid permit or license issued by the Health Department of the City of Wichita, Kansas, or of Sedgwick County, Kansas, for the production of milk to be disposed of as Grade A milk.

2. Add the following as the last sentence of § 968.6: "This definition shall not include any approved dairy farmer with respect to milk received by a handler who is partially exempted from the provisions of this order pursuant of § 968.64."

3. Delete § 968.7 and substitute therefor the following:

§ 968.7 *Approved plant.* "Approved plant" means any plant approved by the health authorities of the City of Wichita, Kansas, or of Sedgwick County, Kansas, for the handling of milk to be disposed of for fluid consumption as milk in the marketing area and currently used for any or all of the functions of receiving, weighing (or measuring), sampling, cooling, pasteurizing or other preparation of milk for sale or disposition as milk or cream for fluid consumption in the marketing area.

4. Delete § 968.40 and substitute therefor the following:

§ 968.40 *Basis of classification.* All milk and milk products purchased, received or produced by each handler, including milk of a producer which a cooperative association causes to be delivered to a plant from which no milk is disposed of in the marketing area, shall be reported by the handler in the classes set forth in § 968.41 subject to the following conditions:

(a) Milk or skim milk moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant shall be Class I milk;

(b) Cream moved in fluid form from an approved plant to an unapproved plant located more than 100 miles from the approved plant shall be Class II milk if moved under Grade A certification and shall be Class III milk if so moved without Grade A certification;

(c) Milk, skim milk, or cream moved in fluid form from an approved plant to an unapproved plant located not more than 100 miles from the approved plant and from which fluid milk and cream are distributed, shall be Class I if moved in the form of milk or skim milk and Class II if moved in the form of cream, unless the purchaser certifies that the market administrator may verify his records. If the market administrator is permitted to verify the necessary records such milk, skim milk, or cream, shall be classified as follows: (1) Determine the classification of all milk received in the unapproved plant, and (2) allocate the milk, skim milk, or cream received from the approved plant to the highest use classification remaining after subtracting in series

beginning with the highest use classification, the receipts of milk at such unapproved plant directly from dairy farmers who the market administrator determines constitute its regular source of milk for Class I and Class II use.

(d) Milk, skim milk or cream moved from an approved plant to an unapproved plant located not more than 100 miles from the approved plant and which does not distribute fluid milk or cream shall be classified as Class III milk.

(e) Milk or skim milk sold or disposed of by a handler who purchases or receives milk from producers to another handler shall be classified as Class I milk: *Provided*, That if such milk or skim milk, except milk or skim milk sold or disposed of by such handler to a producer-handler, is reported by the receiving handler or by the disposing handler as having been utilized as Class II milk or Class III milk, it shall be classified accordingly but in no event shall the amount classified in any class exceed the total use in such class by the receiving handler.

(f) Cream sold or disposed of as fluid cream by a handler who purchases or receives milk from producers to another handler shall be classified as Class II milk: *Provided*, That if such cream, except cream sold or disposed of by such handler to a producer-handler, is reported by the receiving handler or by the disposing handler as having been utilized as Class III milk, such cream shall be classified accordingly but in no event shall the amount classified in any class exceed the total use in such class by the receiving handler.

5. Delete § 968.41 (a) and substitute therefor the following:

(a) Class I milk shall be all milk and skim milk (1) disposed of for consumption as milk, skim milk, buttermilk, flavored milk and milk drinks, (2) used to produce concentrated (including frozen) milk, flavored milk or flavored milk drinks disposed of for fluid consumption neither sterilized nor in hermetically sealed cans, and (3) all milk not classified as Class II milk or Class III milk pursuant to paragraphs (b) and (c) of this section.

6. Delete § 968.43(c) and substitute therefor the following:

(c) Determine the total pounds of milk in Class I as follows: (1) Convert to pounds the quantity of Class I milk on the basis of 2.15 pounds per quart (except that in the case of converting milk, flavored milk, or flavored milk drinks in concentrated form such conversion shall apply to the volume of milk used in the production of the concentrated product rather than the volume of finished product), and subtract the weight of any flavoring materials included, (2) multiply the result by the average butterfat test of such milk, and (3) if the quantity of butterfat so computed when added to the pounds of butterfat in Class II milk and Class III milk, computed pursuant to paragraphs (a) (2) and (e) (4) of this section is less

than the total pounds of butterfat received computed in accordance with paragraph (b) of this section, an amount equal to the difference shall be divided by 3.8 percent and added to the quantity of milk determined pursuant to subparagraph (1) of this paragraph.

7. Delete § 968.44 and substitute therefor the following:

§ 968.44 *Allocation of milk classified.* Determine the allocation of milk received from producers as follows:

(a) Subtract from the total pounds of milk in each class the pounds of milk which were received from other handlers and used in each class.

(b) Subtract from the remaining pounds of milk in each class the pounds of milk received from sources other than producers and other handlers in the following sequence: (1) Class III milk, (2) Class II milk transferred to unapproved plants, (3) Class I milk transferred to unapproved plants, (4) other Class II milk, and (5) other Class I milk.

8. Delete § 968.50 and substitute therefor the following:

§ 968.50 *Class prices.* Each handler shall pay at the time and in the manner hereinafter set forth not less than the following price per hundredweight of milk received during each delivery period from producers:

(a) *Class I milk.* The price per hundredweight shall be the price determined pursuant to § 968.51 plus \$1.80 for each month through March 1952, and plus \$1.65 for each month thereafter, plus or minus (for each month after June 1952) a "supply-demand" adjustment of not more than 40 cents computed as follows:

(1) For the second and third delivery periods preceding the delivery period to which the price applies determine the pounds of Class I and Class II milk computed pursuant to § 968.43 for all handlers other than producer-handlers, any handler operating an approved plant which was not a pool plant during each

of the 12 preceding delivery periods for which such plant was an approved plant, and any handler partially exempt from this order pursuant to § 968.64;

(2) For the same delivery periods determine the pounds of milk received from producers by the handlers specified in subparagraph (1) of this paragraph;

(3) Divide the result obtained in subparagraph (2) of this paragraph by the result obtained in subparagraph (1) of this paragraph to determine the percentage that producer receipts were of Class I and Class II sales;

(4) For each full percentage point more than 2 that the percentage determined in subparagraph (3) of this paragraph is less than that shown below for the applicable delivery periods the Class I price shall be increased 2 cents and for each full percentage point more than 2 that such percentage is greater than that shown below for the applicable month such price shall be decreased 2 cents.

Delivery periods to which price applies	Percentage	Delivery period used in computation
January.....	109	October-November.
February.....	110	November-December.
March.....	112	December-January.
April.....	115	January-February.
May.....	120	February-March.
June.....	126	March-April.
July.....	130	April-May.
August.....	133	May-June.
September.....	135	June-July.
October.....	130	July-August.
November.....	116	August-September.
December.....	108	September-October.

(b) *Class II milk.* The price per hundredweight shall be the Class I price less 25 cents.

(c) *Class III milk.* The price per hundredweight shall be the higher of:

(1) A price computed pursuant to the alternative method specified in § 968.51, using prices for butter and nonfat dry milk solids for the current delivery period, less 15 cents for each of the delivery periods of April, May, June and July only; or

(2) The average of the prices paid or to be paid for ungraded milk received during the delivery period at the following plants now operated by the listed companies: At Wichita, Kansas, by the DeCoursey Cream Company; at Blackwell, Oklahoma, by Wilson and Company; and at Arkansas City, Kansas, by the Arkansas City Cooperative Milk Association.

9. Add the following as § 968.64:

§ 968.64 *Handlers subject to other orders.* In the case of any handler (as defined herein) who the Secretary determines disposes of a greater portion of his milk as Class I and Class II milk in another marketing area regulated by another milk marketing agreement or order issued pursuant to the act, the provisions of this order shall not apply except as follows:

(a) The handler shall with respect to his total receipts and utilization of milk make reports to the market administrator at such time and in such manner as the market administrator may require and shall allow verification of such reports;

(b) If the price which such handler is required to pay under the other Federal order to which he is subject for milk which would be classified as Class I milk or Class II milk under this order is less than the price provided by this order, such handler shall pay to the market administrator, for deposit in the producer-settlement fund, with respect to all milk disposed of (except to other handlers) as Class I milk or Class II milk within the marketing area, an amount equal to the difference between the value of such milk as computed pursuant to this order and its value as determined pursuant to the other order to which he is subject.

Filed at Washington, D. C., this 29th day of November 1951.

[SEAL] ROY W. LENNARTSON,
Assistant Administrator.

[F. R. Doc. 51-14401; Filed, Dec. 4, 1951; 8:47 a. m.]

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 18649]

MOTO SUZIKAWA

In re: Interest in real property owned by Moto Suzikawa, also known as Moto Suwikawa and as Moto Sumikawa. D-39-3960.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Moto Suzikawa, also known as Moto Suwikawa and as Moto Sumikawa, whose last known address is Hiroshima, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: An undivided one-twelfth (1/12th) interest in certain real property situated in the County of Washington, State of Oregon, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not

within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of a designated enemy country, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall

have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on November 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

EXHIBIT A

All that certain piece or parcel of ground situated in the County of Washington, State of Oregon, particularly described as follows:

The Northwest quarter of the Northeast quarter, of section 17, T. 2 S., R. 1 W. of Will Mer. except the following described property: Commencing at the Southwest corner of the Northeast quarter of the Northeast quarter of Section 17, Township 2 South, Range 1 West; running thence North 7.61 chains to the point of beginning on the North side of road; thence West along road 3.16 chains; thence North 3.16 chains; thence East 3.16 chains; thence South 3.16 chains to the point of beginning; said tract being heretofore conveyed to the Directors of School District No. 40 by deed dated June 4, 1895, and recorded June 8, 1895, in Book 44, page 78 of Deeds. Commencing at the Southwest corner of the Northeast quarter of the Northeast quarter of Section 17, Township 2 South, Range 1 West; running thence North 7.61 chains to the North side of County Road; thence West along the North line of said County Road 3.16 chains to the point of beginning; thence West 1.58 chains; thence North 3.16 chains; thence East 1.58 chains; thence South 3.16 chains to the point of beginning; said tract being heretofore conveyed to the Directors of School District No. 40 by deed dated July 14, 1906, and recorded October 4, 1906, in Book 73, page 361, of Deeds. Beginning at the Southeast corner of the Northwest quarter of the Northeast quarter of Section 17, Township 2 South, Range 1 West; running thence North 28½ rods more or less, to the center of County Road; thence West in center of road 20 feet; thence South parallel with the East line of the Northwest quarter of the Northeast quarter of Section 17, to the South line thereof; thence East 20 feet to the point of beginning, said tract being heretofore conveyed for a right of way for a road to Charles Ashpole dated September 23, 1908, and recorded November 6, 1908, on page 610, book 80; also subject to the easement of the County Road, known as South Bend Road.

[F. R. Doc. 51-14355; Filed, Dec. 3, 1951; 8:54 a. m.]

MIWA NODA MORII

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Miwa Noda Morii, Osaka, Japan; Claim No. 15974; \$253.98 cash in the Treasury of the United States and real property and improvements thereon known as 1500 Russell Street, Berkeley, California.

Executed at Washington, D. C., on November 28, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-14359; Filed, Dec. 3, 1951; 8:54 a. m.]

DEPARTMENT OF DEFENSE

Department of the Army

CONTINENTAL ARMY COMMANDERS

DELEGATION OF AUTHORITY TO ORDER CERTAIN NATIONAL GUARD UNITS INTO ACTIVE FEDERAL SERVICE

Pursuant to the authority vested in the Secretary of the Army by paragraph 1 of Delegation of Authority dated July 13, 1951 (16 F. R. 6968) as amended August 24, 1951 (16 F. R. 8747) the Continental Army Commanders are authorized, under conditions prescribed by the Chief of Staff, United States Army, to order into the active military service of the United States such units of the National Guard of the United States as have been or may be designated special security forces for critical installations.

[SEAL] WM. E. BERGIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 51-14418; Filed, Dec. 4, 1951; 8:50 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

[No. S-30]

MISSISSIPPI SHIPPING CO., INC.

NOTICE OF HEARING

Notice is hereby given that a public hearing will be held before Chief Examiner G. O. Basham, at New Orleans, La., on January 29, 1952, at 10 o'clock a. m., in the Auditorium of the International House, under Title VI of the Merchant Marine Act, 1936, as amended, concerning review by the Board, on its own motion, of the Operating-Differential Subsidy Agreement of Mississippi Shipping Company, Inc. (contract No. MCC-62433) with respect to vessels operated by the company on Trade Route No. 14, Service No. 2, between United States Gulf ports and the West Coast of Africa.

The purpose of the hearing is to receive evidence to determine under the applicable provisions of Title VI of the Merchant Marine Act, 1936, as amended, (a) whether the vessels operated by Mississippi Shipping Company, Inc. (hereinafter called "operator") on Trade Route 14, Service 2, encountered substantial competition from foreign-flag vessels during the period January 1, 1948, to date; and (b) whether, and to what extent, adjustment in subsidy payments is required.

At a prehearing conference held November 20, 1951, the following understandings were reached by the parties:

(1) The inquiry under subsection (b) above will be limited to the question whether adjustment in subsidy payments is required because of a change in the competitive conditions encountered by the operator during the period January 1, 1948, to date; and no calculation will be made in this proceeding of any subsidy rates, should an adjustment appear to be required.

(2) Various communications between the Board and/or its predecessor and the operator, including the subsidy contract, may be offered in evidence without further proof of their authenticity.

(3) Exhibits prepared by the operator from Bureau of Census data may be offered in evidence without further proof than presentation, for examination by counsel for all parties, of the certified underlying data, the operator to furnish counsel for the Board, when available, an explanatory statement from the Bureau of such data.

(4) Counsel for the Board will open and close at the hearing.

(5) The operator will furnish counsel for the Board with copies of any written testimony prior to hearing and when available.

(6) The operator will present a statistical study of the traffic on Trade Route 14 by commodities and flag of vessel and as between liner and non-liner cargo insofar as possible, from January 1947, to as late a date as possible.

(7) Counsel for the Board will present exhibits showing operators on Route 14, their vessel operations, ports of call, etc., and total liner cargo carried outbound and inbound by each individual line, during the period of January 1, 1948, to as late a date as possible.

(8) Exhibits will be exchanged by the parties on or before January 14, 1952.

The hearing will be conducted pursuant to the Board's rules of procedure (12 F. R. 6076), and a recommended decision will be issued by the examiner.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) desiring to intervene in this proceeding should notify the Board accordingly on or before December 31, 1951, and should file petitions promptly for leave to intervene in accordance with § 201.81 of the Board's rules of procedure.

Dated: November 30, 1951.

By order of the Federal Maritime Board.

[SEAL] A. J. WILLIAMS,
Secretary.

[F. R. Doc. 51-14438; Filed, Dec. 4, 1951; 8:52 a. m.]

National Production Authority

[Suspension Order 1; Docket No. 3]

DELAWARE AVENUE HOLDING CORP.
AND JAMES C. BREYFOGLE

SUSPENSION ORDER

A hearing having been held in the above entitled matter on the 15th day of October 1951, before Morris R. Bev-

ington, a Hearing Commissioner of the National Production Authority on a statement of charges made by the General Counsel, National Production Authority, in accordance with the National Production Authority General Administrative Order 16-06 (16 F. R. 8628), and Implementation 1 to National Production Authority General Administrative Order 16-06 (16 F. R. 8799), redesignated as RP 1—Rules of Practice Before Hearing Commissioners (16 F. R. 8894), and

The respondents, The Delaware Avenue Holding Corporation and James C. Breyfogle, having been duly apprised of the specific violations charged and the administrative action which may be taken, and having been fully informed of the rules and procedures which govern these proceedings, and having appeared herein, as follows:

The Delaware Avenue Holding Corporation by its attorney, Abe Roth, Wallbridge Building, Buffalo, New York.

James C. Breyfogle by his attorney, Eli Roth, Wallbridge Building, Buffalo, New York.

and the respondents having pleaded and all evidence pertaining to the charge having been received, and the Hearing Commissioner being advised in the premises, it is hereby determined:

Findings of fact. 1. The Delaware Avenue Holding Corporation and James C. Breyfogle made application to the National Production Authority on the 29th day of January 1951, for authority to commence construction of a 2-story and basement, office and warehouse building to be located at 334 Delaware Avenue, Buffalo, New York, and represented therein that applicant would use laminated wood beams in lieu of essential structural steel.

2. The National Production Authority authorized the construction of the said building at 334 Delaware Avenue, Buffalo, New York, on the 26th day of February 1951, provided that such construction be limited to the use of ordinary masonry and wood beams.

3. The Delaware Avenue Holding Corporation and James C. Breyfogle did consume 22 tons of structure steel beams in the construction of the said building.

4. The Delaware Avenue Holding Corporation and James C. Breyfogle admit the charge.

Conclusion. During the period beginning January 29, 1951, and ending on or about August 5, 1951, the Delaware Avenue Holding Corporation and James C. Breyfogle did an act prohibited by § 71.14 of the National Production Authority Order M-4 as amended January 13, 1951, to wit: The unauthorized use of 22 tons of structural steel beams in the construction of an office and warehouse building located at 334 Delaware Avenue, Buffalo, New York.

Accordingly, it is ordered:

1. That all priority assistance be withdrawn and withheld from the Delaware Avenue Holding Corporation and James C. Breyfogle for a period of 90 days beginning October 15, 1951.

2. That all allocations and allotments of materials be withdrawn and withheld from the Delaware Avenue Holding Corporation and James C. Breyfogle for a

period of 90 days beginning October 15, 1951.

3. That the Delaware Avenue Holding Corporation and James C. Breyfogle be prohibited from acquiring, using or disposing of controlled materials for a period of 90 days beginning October 15, 1951.

Issued this 15th day of October 1951.

NATIONAL PRODUCTION
AUTHORITY,

By MORRIS R. BEVINGTON,
Hearing Commissioner.

[F. R. Doc. 51-14509; Filed, Dec. 4, 1951;
11:04 a. m.]

[Suspension Order 2; Docket No. 4]

NATIONAL BREWING CO. AND JEROLD C.
HOFFBERGER

SUSPENSION ORDER

A hearing having been held in the above entitled matter on the 19th day of October 1951, before Morris R. Bevington, a Hearing Commissioner of the National Production Authority on a statement of charges made by the General Counsel, National Production Authority, in accordance with the National Production Authority General Administrative Order 16-06 (16 F. R. 8628), and Implementation 1 to National Production Authority General Administrative Order 16-06 (16 F. R. 8799), redesignated as RP 1—Rules of Practice Before Hearing Commissioners (16 F. R. 8894), and

The respondents, the National Brewing Company, and Jerold C. Hoffberger, having been duly apprised of the specific violations charged and the administrative action which may be taken, and having been fully informed of the rules and procedures which govern these proceedings and having appeared herein, as follows:

National Brewing Company by its President, Jerold C. Hoffberger, 1027 Conklin Street, Baltimore, Maryland.

Jerold C. Hoffberger in person, 1027 Conklin Street, Baltimore, Maryland.

and the respondents having pleaded and all evidence pertaining to the charge having been received, and the Hearing Commissioner being advised in the premises, it is hereby determined:

Findings of fact. 1. During the period January 1, 1951, to March 31, 1951, use of cans made of tin plate authorized to the respondents was 17,312 base boxes of tin plate and the actual usage by the respondents was 18,629 base boxes of tin plate, or excess usage of 1,317 base boxes of tin plate or 658,500 cans.

2. During the period April 1, 1951, to June 30, 1951, use of cans made of tin plate authorized to the respondents was 16,479 base boxes of tin plate and the actual usage by the respondents was 17,696 base boxes of tin plate, or excess usage of 1,217 base boxes of tin plate or 608,500 cans.

3. During the period July 1, 1951, to September 30, 1951, use of cans made of tin plate authorized to the respondents was 15,380 base boxes of tin plate and the actual usage by the respondents was 16,192 base boxes of tin plate, or excess

usage of 812 base boxes of tin plate or 406,000 cans.

4. The National Brewing Company, and Jerold C. Hoffberger admit the charge.

Conclusion. During the period beginning January 1, 1951, and ending September 30, 1951, the National Brewing Company, and Jerold C. Hoffberger committed acts prohibited by the National Production Authority Order M-25, dated January 27, 1951, amendments and directives thereto, to wit: The unauthorized use of 3,346 base boxes of tin plate or 1,673,000 cans.

Accordingly, it is ordered: That the use of cans made of tin plate authorized to the National Brewing Company, and Jerold C. Hoffberger during the period October 1, 1951 to December 31, 1951, pursuant to National Production Authority Order M-25, amendments and directives thereto, is reduced by 3,346 base boxes of tin plate or 1,673,000 cans during the fourth quarter of 1951 and the National Brewing Company and Jerold C. Hoffberger is prohibited from using any base boxes of tin plate or cans in excess of the authorized usage so reduced.

Issued this 19th day of October 1951.

NATIONAL PRODUCTION
AUTHORITY,

By MORRIS R. BEVINGTON,
Hearing Commissioner.

[F. R. Doc. 51-14510; Filed, Dec. 4, 1951;
11:04 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1063, as amended; 29 U. S. C. and Supp. 214) and Part 522 of the regulations issued thereunder (29 CFR Part 522), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners, and learning period for certificates issued under the general learner regulations (§§ 522.1 to 522.14) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Single Pants, Shirts and Allied Garments, Women's Apparel, Sportswear, Rainwear and Other Odd Outerwear, Robes and Leather and Sheep-Lined Garments Divisions of the Apparel Industry Learner Regulations (29 CFR 522.160 to 522.166, as amended September 25, 1950; 15 F. R. 5701; 6326).

Alma Garment Co., Alma Ga., effective 11-29-51 to 11-28-52; 10 percent of the pro-

ductive factory force or 10 learners, whichever is greater (men's shorts, ladies' shorts).

Barry Bob Sportswear Co., 144 East Blaine Street, McAdoo, Pa., effective 11-21-51 to 11-20-52; five learners; learners may not be engaged at subminimum wage rates in the production of skirts (blouses, mid-riffs, play suits).

Jack Borgenicht, Inc., Mill and Frieda Streets, Dickson City, Pa., effective 11-26-51 to 5-25-52; 15 learners (ladies' and children's dresses).

Calumet Garment Co., 913 East Chicago Avenue, East Chicago, Ind., effective 11-29-51 to 11-28-52; 10 learners (trousers).

Cowden Manufacturing Co., 112 Hamilton Avenue, Lancaster, Ky., effective 11-28-51 to 11-27-52; 10 percent of the productive factory force (denim bib overalls and over-all jackets).

Eagle Bros., Mahanoy City, Pa., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force (dress and sport shirts).

Albert Given Manufacturing Co., 1301 West Chicago Avenue, East Chicago, Ind., effective 11-27-51 to 11-26-52; 10 percent of the productive factory force (trousers).

The Hawk & Buck Co., Inc., 316 Washington, Waco, Tex., effective 11-29-51 to 11-28-52; 10 percent of the productive factory force (work clothes).

Key Work Clothes of Missouri, Nevada, Mo., effective 11-26-51 to 11-25-52; 10 learners (pants, overalls, etc.).

H. D. Lee Co., Inc., 405 East Madison, South Bend, Ind., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force (men's work clothing).

Linden Apparel Corp., Linden, Tenn., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force (dungarees).

McKenzie Pajama Corp., McKenzie, Tenn., effective 11-27-51 to 11-26-52; 10 percent of the productive factory force (pajamas).

Manhattan Shirt Co., Middletown, N. Y., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force (sportswear).

Monticello Manufacturing Co., Monticello, Miss., effective 11-24-51 to 11-23-52; 10 percent of the productive factory force (men's cotton work pants).

Nightingale Manufacturing Co., Inc., 1010 Chestnut Street, Allentown, Pa., effective 11-21-51 to 11-20-52; 10 percent of the productive factory force (infants', children's, girls' pajamas and gowns).

Publix Shirt Corp., Myerstown, Pa., effective 11-20-51 to 11-19-52; 10 percent of the productive factory force (dress shirts).

Publix Shirt Corp., Huntingdon, Tenn., effective 11-18-51 to 11-17-52; 10 percent of the productive factory force (dress and sport shirts).

Quality Trouser Manufacturing Co., Inc., 108½ North Sterling Street, Streator, Ill., effective 11-24-51 to 11-23-52; five learners (men's dress trousers).

Robin Hood Sportswear of California, 17 West Citrus, Redlands, Calif., effective 11-27-51 to 11-26-52; 10 learners (boys' and children's sportswear).

The Salem Co., Inc., Junia and Lomond Avenues, Winston-Salem, N. C., effective 11-19-51 to 5-18-52; four learners (pants, overalls, work shirts, etc.).

Seminole Manufacturing Co., Columbus, Miss., effective 12-1-51 to 11-30-52; 10 percent of the productive factory force (trousers, sport shirts).

Seminole Manufacturing Co., Aberdeen, Miss., effective 12-1-51 to 11-30-52; 10 percent of the productive factory force (trousers).

Shorenson Co., Brownstown, Pa., effective 11-29-51 to 11-28-52; 10 percent of the productive factory force (women's blouses).

Star Union Co., of Tennessee, Inc., Manchester, Tenn., effective 11-29-51 to 11-28-52; 10 percent of the productive factory force (men's and boys' pajamas).

The Turner Manufacturing Co., 107 Twelfth Avenue North, Nashville, Tenn., effective

11-21-51 to 5-20-52; an additional 10 learners may be employed for expansion purposes (sport shirts).

W. B. Foundations, Inc., 412 Lackawanna Avenue, Scranton, Pa., effective 11-19-51 to 11-18-52; 10 percent of the productive factory force (women's foundation garments).

Wide Awake Shirt Co., Inc., 2047 Kutztown Road, Reading, Pa., effective 12-1-51 to 11-30-52; 10 percent of the productive factory force (dress shirts, collars and sleeping wear).

Willards Shirt Co., Willards, Md., effective 11-29-51 to 11-28-52; 10 learners (work shirts).

Cigar Industry Learner Regulations
(29 CFR 522.201 to 522.211, as amended January 25, 1950; 15 F. R. 400).

I. Lewis Cigar Manufacturing Co., Second and Washington Street, Steelton, Pa., effective 11-21-51 to 11-20-52; 10 percent of the productive factory workers engaged in the learner occupations; cigar machine operating, 320 hours; machine packing (cigars retailing for over 6 cents), 320 hours (cigars retailing for 6 cents or less), 160 hours; machine stripping, 160 hours; each 60 cents per hour.

Glove Industry Learner Regulations
(29 CFR 522.220 to 522.231, as amended October 26, 1950; 15 F. R. 6888).

Hansen Glove Corp., Merrill, Wis., effective 11-21-51 to 11-20-52; 10 percent of the productive factory workers engaged in the learner occupations (fabric dress gloves).

Lambert Manufacturing Co., Plant No. 3, 1006 Washington Street, Chillicothe, Mo., effective 11-23-51 to 11-22-52; 10 learners (leather and cotton work gloves).

Shoe Industry Learner Regulations
(29 CFR 522.250 to 522.260; 15 F. R. 6546).

Bender Shoe Co., 664 South Edgewood, Somerset, Pa., effective 11-23-51 to 11-22-52; five learners.

The H. C. Godman Co., 101 South Branson Street, Marion, Ind., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force.

International Shoe Co., Sweet Springs, Mo., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force.

International Shoe Co., 820 State, Fulton, Mo., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force.

International Shoe Co., 109 East Fifth Avenue, Fulton, Mo., effective 11-23-51 to 11-22-52; 10 percent of the productive factory force.

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.14).

J. H. Grady Manufacturing Co., Licking, Mo., effective 11-23-51 to 5-22-52; 25 additional learners for expansion purposes; hand and machine sewers, baseball makers and moulders only; 480 hours; 60 cents an hour for the first 320 hours and 65 cents an hour for the remaining 160 hours (athletic equipment).

Wm. B. Kessler, Inc., Hammonton, N. J., effective 11-21-51 to 11-20-52; 7 percent of the productive factory force; machine operators (except cutters), handsewers, pressers; each 480 hours; 60 cents an hour for the first 240 hours and 65 cents an hour for the remaining 240 hours (men's suits).

The following special learner certificates were issued to the school-operated industries listed below:

Adelphian Academy, Holly, Mich., effective 9-3-51 to 8-31-52; 40 learners; woodwork shop; machine operator, assembler and related skilled and semiskilled occupations;

250 hours at 55 cents, 250 hours at 60 cents, 250 hours at 70 cents per hour.

Glendale Union Academy, 700 Kimlin Drive, Glendale, Calif., effective 12-1-51 to 8-31-52; three learners; printshop, compositor, pressman, finisher and related skilled and semiskilled occupations; 350 hours at 55 cents, 325 hours at 60 cents, 325 hours at 70 cents per hour unless state law sets higher standard.

Cedar Lake Academy, Cedar Lake, Mich., effective 9-16-51 to 8-31-52; 50 learners; woodwork shop; assembler, machine operator, clerk and related skilled and semiskilled occupations; 250 hours at 55 cents, 250 hours at 60 cents, 250 hours at 70 cents per hour.

Maplewood Academy, Hutchinson, Minn., effective 9-16-51 to 8-31-52; 20 learners; woodwork shop; assembler, sawyer, machine operator and related skilled occupations; 250 hours at 55 cents, 250 hours at 60 cents, 250 hours at 70 cents per hour.

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be cancelled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 26th day of November 1951.

MILTON BROOKE,
*Authorized Representative
of the Administrator.*

[F. R. Doc. 51-14395; Filed, Dec. 4, 1951;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 10006]

BRIDGEPORT BROADCASTING CO. (WLIZ)

ORDER CONTINUING HEARING

In re application of The Bridgeport Broadcasting Company (WLIZ), Bridgeport, Connecticut, Docket No. 10006, File No. BP-7958; for construction permit.

The Commission having under consideration a petition filed November 21, 1951, by The Bridgeport Broadcasting Company (WLIZ), the above-mentioned applicant, requesting an indefinite continuance of the hearing presently scheduled to begin on November 27, 1951; and

It appearing that in the presently pending application, The Bridgeport Broadcasting Company seeks full-time operation for Station WLIZ, Bridgeport, Connecticut, but that on November 16, 1951, said company entered into a contract with Thomas S. Lee Enterprises, Inc., owner of Station WICC in Bridgeport, Connecticut, pursuant to which petitioner, subject to prior Commission approval, will purchase Station WICC, and that an application for Commission consent to the assignment of the license of WICC is presently in the process of

preparation and will be filed with the Commission within a few days; and

It appearing that if and when The Bridgeport Broadcasting Company files an application for the assignment to it of the license of Station WICC, Bridgeport, Connecticut, it will then be prosecuting two applications for AM broadcast stations in Bridgeport, Connecticut, and under Commission Rules, will be required to elect which application it will prosecute and dismiss the other.

Commission counsel has consented to the immediate consideration of the petition for continuance and has made no objection to the granting of a continuance. As the applicant does not now propose to prosecute its above-entitled application, good cause has been shown why the hearing presently scheduled for November 27, 1951, should be continued.

It is ordered, This the 23d day of November 1951, that the above-mentioned petition of The Bridgeport Broadcasting Company (WLIZ) for indefinite continuance of the hearing now scheduled to begin on November 27, 1951, is granted, insofar as it requests a continuance of the hearing, but denied insofar as it requests a continuance for an indefinite period and the hearing is continued from November 27, 1951, to January 8, 1952, beginning at 10:00 a. m., in the offices of the Commission in Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14419; Filed, Dec. 4, 1951;
8:50 a. m.]

[Docket No. 10089]

JAMES M. TISDALE (WVCH)

ORDER DESIGNATING APPLICATION FOR
HEARING ON STATED ISSUES

In re application of James M. Tisdale (WVCH), Chester, Pennsylvania, Docket No. 10089, File No. BP-8100; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of November, 1951;

The Commission having under consideration the above-entitled application of James M. Tisdale for a construction permit to increase power of Station WVCH, Chester, Pennsylvania from 250 w to 1 kw; and

It appearing, that the applicant is legally, technically, financially, and otherwise qualified to operate Station WVCH, as proposed, but that the application may involve interference with one or more existing stations and otherwise not comply with the Standards of Good Engineering Practice;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing, at a time and place to be later specified; upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WBMD, Baltimore, Maryland, Station WGSM, Huntington, New York, or any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission's Rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Key Broadcasting Corporation, licensee of Station WBMD, and Huntington-Montauk Broadcasting Co. Inc., licensee of Station WGSM are made parties to this proceeding.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 51-14420; Filed, Dec. 4, 1951;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-1801, G-1825]

MARTIN WUNDERLICH ET AL.

ORDER DENYING REQUESTS FOR SHORTENED
PROCEDURE, CONSOLIDATING PROCEEDINGS
FOR PURPOSE OF HEARING AND FIXING DATE
OF HEARING

NOVEMBER 27, 1951.

In the matters of Martin Wunderlich and Lee Aikin, Docket No. G-1801; United Gas Pipe Line Company, Docket No. G-1825.

On October 2, 1951, Martin Wunderlich and Lee Aikin, individuals, filed a joint application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing the acquisition by purchase and operation of the "Wichita Falls District" of United Gas Pipe Line Company, all as more fully described in said application on file with the Commission and open to public inspection. Due notice of the filing of such application has been given, including publication in the FEDERAL REGISTER on October 18, 1951 (16 F. R. 10678-10679).

On October 29, 1951, United Gas Pipe Line Company (United), a Delaware corporation, with its principal place of business at Shreveport, Louisiana, filed an application pursuant to section 7 (b) of the Natural Gas Act, authorizing the abandonment, by sale to Wunderlich and Aikin, of its "Wichita Falls District," all as more fully described in said application on file with the Commission and open to public inspection. Due notice of the filing of such application has been given, including publication in the Fed-

ERAL REGISTER on November 10, 1951 (16 F. R. 11513).

The applicants have requested that their applications be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) for noncontested proceedings.

The Commission finds:

(1) Good cause has not been shown for granting the Applicants requests that their applications be heard under the shortened procedure as provided by the Commission's rules of practice and procedure, and said requests should be denied as hereinafter ordered.

(2) Good cause exists to consolidate the proceedings on the above applications for the purpose of hearing.

The Commission orders:

(A) The requests of the Applicants that their applications in Docket Nos. G-1801 and G-1825 be heard under the shortened procedure provided by § 1.32 (b) of the Commission's rules of practice and procedure (18 CFR 1.32 (b)) be and the same are hereby denied.

(B) The aforesaid proceedings in Docket Nos. G-1801 and G-1825 be and the same hereby are consolidated for purposes of hearing.

(C) Pursuant to the authority contained in and by virtue of the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a public hearing be held commencing on December 10, 1951, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue, NW., Washington, D. C., concerning the matters involved and the issues presented by the aforesaid application.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Date of issuance: November 29, 1951.

By the Commission. Commissioner Draper dissenting.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-14396; Filed, Dec. 4, 1951;
8:45 a. m.]

[Docket No. G-1840]

NORTHERN NATURAL GAS CO.

ORDER ALLOWING CERTAIN SERVICE AGREEMENTS AND TARIFF CHANGES TO TAKE EFFECT AND SUSPENDING CERTAIN TARIFF CHANGES

NOVEMBER 28, 1951.

Northern Natural Gas Company (Northern) filed with the Commission, with the request that the same be allowed to take effect as of November 27, 1951, executed service agreements with its gas utility customers, embodying proposed contract demands under a 675 MMcf per day system capacity north of Kansas, as indicated below:

Name of gas utility customer	Gas utility contract demands (Mcf)		
	Present contracts	Proposed contracts	Increase
<i>Proposed service agreements filed on Oct. 29, 1951</i>			
1. Board of Water, Electric, Gas & Power Commissioners, Austin, Minn....	8,100	8,947	847
2. Central Electric & Gas Co.....	75,883	83,589	7,706
3. Central Natural Gas Co.....	3,716	3,816	100
4. Council Bluffs Gas Co.....	17,793	19,400	1,607
5. Elkhorn Valley Gas Co.....	900	950	50
6. Interstate Power Co.....	4,830	5,412	582
7. Iowa Electric Co.....	2,000	2,224	224
8. Iowa Electric Light & Power Co.....	17,700	20,081	2,381
9. Iowa Power & Light Co.....	40,263	46,365	6,102
10. Kansas Power & Light Co.....	6,450	6,485	35
11. Minneapolis Gas Co.....	135,000	153,611	18,611
12. Minnesota Natural Gas Co.....	4,000	4,380	380
13. Minnesota Valley Natural Gas Co.....	21,266	23,451	2,185
14. Municipal Public Utilities of Owatonna, Minn.....	4,500	4,888	388
15. Nebraska Natural Gas Co.....	5,224	5,774	550
16. Northern States Power Co.....	52,476	61,039	8,563
17. Northwestern Light & Power Co.....	2,250	2,487	237
18a. Peoples Natural Gas Co.....	53,383	59,085	5,702
18b. Peoples Natural Gas Co. (Jetmore, Kans.).....		220	220
19. Perry Gas Co.....	2,023	2,273	250
20. Public Utilities Commission of New Ulm, Minn.....	2,250	2,501	251
21. Western States Utilities Co.....	4,683	5,100	417
<i>Proposed service agreement filed on Nov. 15, 1951</i>			
22. Village of Pender, Nebr.....	550	596	46
<i>Proposed service agreement filed on Nov. 26, 1951</i>			
23. Metropolitan Utilities District of Omaha, Nebr.....	35,000	42,325	7,325
24. Peoples Gas & Electric Co.....	14,358	15,823	1,465
25. Iowa Illinois Gas & Electric Co.....	16,000	16,886	886
26. Iowa Public Service Co.....	37,200	40,745	3,545
27. City of Ponca, Nebr.....		525	525
Total.....	567,798	638,978	71,180

On October 29, 1951, Northern also filed certain proposed changes in its presently effective FPC Gas Tariff, First Revised Volume No. 2. The proposed changes are embodied in proposed Third Revised Sheets Nos. 6 and 7, Second Revised Sheets Nos. 8, 9, 10 and 11, Original Sheets Nos. 11a and 11b, and Third Revised Sheets Nos. 44 through 53. The issue date on these sheets is October 21, 1951, and the proposed effective date requested by Northern is November 27, 1951, for all sheets except Third Revised Sheets Nos. 44 through 53 which are proposed to become effective "November 27, 1951, or later when 675 MMcf facilities are completed."

On November 26 and 27, 1951, Northern also filed certain additional proposed changes in its presently effective FPC Gas Tariff, First Revised Volume No. 2, namely, proposed changes which are embodied in proposed Second Revised Sheets Nos. 44 through 53, superseding Second Revised Sheets Nos. 44 through 53 that were issued on September 22, 1950. The issue date on these proposed sheets is November 23, 1951 and the proposed effective date requested by Northern is "November 27, 1951, or later when 675 MM facilities are completed." The proposed Second Revised Sheets Nos. 44 through 53, as filed on November 26 and 27, 1951, are in lieu of the initially proposed Third Revised Sheets Nos. 44 through 53 which were filed on October 29, 1951.

Northern filed, in Docket No. G-1618, an application on February 21, 1951, as supplemented on April 30, May 7 and 31, June 15, 19 and 22, July 18 and 30, and October 25, 1951, for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of certain natural gas transmission pipeline facilities designed

to increase Northern's system capacity north of Kansas from 600,000 Mcf to an estimated 825,000 Mcf per day (at 14.73 psia). Pending the determination of this application, concerning which public hearings are currently in progress, the Commission on June 27, 1951 issued to Northern a temporary certificate authorizing the construction and operation of facilities for increasing capacity north of Kansas by 50,000 Mcf per day to 650,000 Mcf per day, and later on August 9, 1951, granted Northern a temporary certificate authorizing the construction and operation of facilities for increasing its system capacity north of Kansas by an additional 25,000 Mcf per day, to an estimated aggregate capacity of 675,000 Mcf per day, without prejudice to final Commission action on the application in Docket No. G-1618.

Northern's proposed tariff changes, which are contained in the aforesaid Second Revised Sheets Nos. 44 through 53, and its proposed service agreements covering service to its gas utility customers when Northern's system capacity north of Kansas reaches 675 MMcf per day, relate primarily to the establishment of contract demands for the 1951-52 heating season. The contract demands contained in the said proposed agreements reflect agreement between Northern and all its utility customers.

The aforesaid proposed service agreements are in the standard form provided for by Northern's tariff, except two of the agreements. The two contain additional language with respect to service agreements being superseded by providing that the new service agreements do not supersede provisions of certain previous contracts which are not required to be filed with the Commission at this time and which relate to future contract demands to be made available from pipe-line capacities proposed by

Northern in excess of 675 MMcf per day, such contract demands being contingent upon capacities not yet certificated by the Commission. Any such contractual provisions referred to as not superseded, if they are to become effective as service agreements under Northern's tariff, are subject to the Commission's jurisdiction and depend upon future Commission action, and, accordingly, any action herein is without prejudice to such possible future action.

The changes proposed by Northern in its FPC Gas Tariff, First Revised Volume No. 2, that are embodied in Third Revised Sheets Nos. 6 and 7, Second Revised Sheets Nos. 8, 9, 10, and 11, and Original Sheets Nos. 11a and 11b, provide for the establishment of contract demands for the 1952-53 heating season when Northern's system capacity north of Kansas is expected to approximate 825 MMcf per day, and introduce new provisions for the establishment of contract demands of its gas utility customers subsequent to the 1952-53 heating season, or when Northern's capacity may possibly exceed 825 MMcf per day. For the 1952-53 heating season Northern has proposed tariff modifications which would limit the contract demands of its utility customers to the higher of two alternative amounts, namely, the contract demand nominations made by the customers in the fall of 1950, and the sum of the contract demands established for the 675 MMcf capacity and the product of 10 cubic feet and number of residential consumers. In addition, the proposed tariff modifications provide with respect to capacity in excess of 825 MMcf per day that if contract demand nominations made pursuant to tariff provisions are not satisfied within 18 months, then such nominations are not to be considered with respect to future allocations of available capacity. In addition, certain other changes are proposed in the allocation procedure provided for in Northern's currently effective FPC Gas Tariff.

Northern's proposed tariff changes have been served upon its gas utility customers. Of the nine customers responding, five such customers who purchase over one-half of Northern's available capacity have protested the proposed changes. Three of these have recommended suspension, alleging that the modifications with respect to the 1952-53 season are discriminatory and preferential. Two of the customers object to the procedure for establishment of contract demands for heating seasons subsequent to the 1952-53 season.

Upon consideration of the submittals herein by Northern on October 29, November 15, 26, and 27, 1951, of proposed service agreements and proposed tariff changes to Northern's presently effective FPC Gas Tariff, First Revised Volume No. 2, and the comments and objections filed with reference thereto, the Commission finds:

(1) Good cause exists for making the aforesaid service agreements and the proposed changes to Northern's FPC Gas Tariff, First Revised Volume No. 2, contained in the aforesaid Second Revised Sheets Nos. 44 through 53, effective on

November 27, 1951, as hereinafter provided and ordered.

(2) The proposed changes by Northern in its FPC Gas Tariff, First Revised Volume No. 2, contained in Third Revised Sheets Nos. 6 and 7, Second Revised Sheets Nos. 8, 9, 10, and 11, and Original Sheets Nos. 11a and 11b, may be unjust, unreasonable, unduly discriminatory and preferential; it is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed tariff changes set forth in the said sheets next hereinbefore referred to; and further, such proposed tariff changes should be suspended as hereinafter provided and use thereof deferred pending hearing and decision thereon.

The Commission orders:

(A) The aforesaid service agreements which were filed on October 29 and November 15 and 26, 1951, and the tariff changes proposed in aforesaid Second Revised Sheets Nos. 44 through 53 which were filed on November 26 and 27, 1951 and which supersede Second Revised Sheets Nos. 44 through 53 issued on September 22, 1950, be and the same are hereby allowed to take effect as of November 27, 1951.

(B) Pursuant to authority contained in sections 4, 5, and 15 of the Natural Gas Act, as amended, a public hearing be held upon a date to be fixed by further order of the Commission concerning the lawfulness of the tariff changes proposed in aforesaid Third Revised Sheets Nos. 6 and 7, Second Revised Sheets Nos. 8, 9, 10 and 11, and Original Sheets Nos. 11a and 11b.

(C) Pending hearing and decision thereon, the proposed aforesaid Third Revised Sheets Nos. 6 and 7, Second Revised Sheets Nos. 8, 9, 10 and 11, and Original Sheets Nos. 11a and 11b, filed by Northern on October 29, 1951 and referred to in paragraph (B) hereof, be and the same are hereby suspended within the purview of and in accordance with section 4 (e) of the Natural Gas Act, and the use of the aforesaid sheets is deferred until April 29, 1952, and until such further time thereafter as the said sheets shall be made effective in the manner prescribed by the Natural Gas Act.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

(E) Nothing contained in this order shall be construed as a waiver of requirements of section 7 of the Natural Gas Act; nor shall it be construed as constituting approval by this Commission of any service, rate, charge, classification, or of any rule, regulation, contract, or practice affecting such service or rate provided for in Northern's aforesaid tariff and service agreements; nor shall this order be deemed as recognition of any claimed contractual right or obligation affecting or relating to such services or rates.

(F) This order is without prejudice to any findings or orders which have been or may hereafter be made by this Commission in any proceeding now pending

or hereafter instituted by or against Northern.

Date of issuance: November 28, 1951.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-14404; Filed, Dec. 4, 1951; 8:47 a. m.]

[Docket No. G-1842]

TRANSCONTINENTAL GAS PIPE LINE CORP.
ORDER SUSPENDING PROPOSED RATE SCHEDULES AND PROVIDING FOR HEARING

NOVEMBER 27, 1951.

Transcontinental Gas Pipe Line Corporation (Transcontinental), pursuant to Part 154 of the Commission's general rules and regulations, on October 23, 1951, filed with the Commission proposed First Revised Sheets Nos. 7, 9, 12, 19, and 24 and Second Revised Sheet No. 16 to its FPC Gas Tariff, Original Volume No. 1, setting forth therein proposed revisions in its Rate Schedules CD-1, CD-2, G-1, and G-2, to become effective December 1, 1951; and on November 15, 1951, filed with the Commission First Revised Sheets Nos. 27, 28, and 28-A and Second Revised Sheet No. 28-C to its FPC Gas Tariff, Original Volume No. 1, proposing revisions in its Rate Schedules E and EM-1 and proposing the cancellation of its Rate Schedule EK-1 and the form of service agreement applicable thereto, to become effective December 15, 1951.

According to Transcontinental's estimates based on a daily capacity of 555,000 Mcf per day, the proposed rate schedules would increase the presently effective rates and charges to its interstate wholesale customers by approximately \$13,900,000 for the year 1952.

Transcontinental has not furnished an estimate associated with the 555,000 Mcf daily capacity showing the effect of the increase upon its individual customers. However, it has furnished an estimate of the amount of the increase to individual customers for the 12-month period ending November 1952, according to which the proposed changes in rates will result in increased charges in the total amount of \$11,100,996 to the companies and communities and in the amounts set out in Appendix A hereto.

Transcontinental avers that the proposed increased rates are necessitated by reason of the following claimed facts: that its actual construction costs and estimated costs associated with additional construction exceed the estimates of costs it had made upon which the present rates are based; that the federal income tax rate has been increased above that in effect at the time the present rates were computed; that there have been increases in other expenses; and that a 6½ percent rate of return is necessary to enable the company to attract additional capital.

Copies of the proposed rate schedules, together with copies of material submitted by Transcontinental to this Commission pursuant to § 154.63 of the Commission's general rules and regula-

tions (18 CFR 154.63), were transmitted by Transcontinental to each of its said interstate wholesale customers and to the State commissions of the following States: New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Alabama. A number of the State commissions and customer companies have protested the increase or requested suspension and hearing.

The rates, charges, and classifications set forth in First Revised Sheets Nos. 5, 9, 12, 19, and 24, Second Revised Sheet No. 16 and First Revised Sheets Nos. 27, 28, and 28-A to Transcontinental's FPC Gas Tariff, Original Volume No. 1, comprising the revisions in its Rate Schedules CD-1, CD-2, G-1, G-2, E and EM-1, and Second Revised Sheet No. 28-C to such tariff, comprising the cancellation of its Rate Schedule EK-1 and the form of service agreement applicable thereto, may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services set forth in Transcontinental's First Revised Sheets Nos. 5, 9, 12, 19, and 24, Second Revised Sheet No. 16, First Revised Sheets Nos. 27, 28, and 28-A and Second Revised Sheet No. 28-C to its FPC Gas Tariff, Original Volume No. 1; and that said tariff sheets filed in this proceeding be suspended pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date and place hereafter to be fixed by the Commission concerning the lawfulness of the rates, charges, classifications, and services, subject to the jurisdiction of the Commission, as set forth in First Revised Sheets Nos. 5, 9, 12, 19, and 24, Second Revised Sheet No. 16, First Revised Sheets Nos. 27, 28, and 28-A and Second Revised Sheet No. 28-C to FPC Gas Tariff, Original Volume No. 1, filed by Transcontinental Gas Pipe Line Corporation.

(B) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Transcontinental Gas Pipe Line Corporation on October 23, 1951, be and the same hereby are suspended and the use thereof is deferred until May 1, 1952, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) Pending such hearing and decision thereon, said tariff sheets filed in this proceeding by Transcontinental Gas Pipe Line Corporation on November 15, 1951, be and the same hereby are suspended and the use thereof is deferred until May 15, 1952, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the

Commission's rules of practice and procedure.

Date of issuance: November 29, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

APPENDIX A—TRANSCONTINENTAL GAS PIPE
LINE CORPORATION DISTRIBUTION OF IN-
CREASE FOR 12 MONTHS ENDED NOV. 30, 1952

Purchaser

Rate Schedule CD-2:	
Consolidated Edison Co. of N. Y., Inc.	Increase \$3,202,580
Brooklyn Union Gas Co.	1,725,291
Brooklyn Borough Gas Co.	213,970
Kings County Lighting Co.	213,899
Public Service Electric & Gas Co.	1,741,775
Philadelphia Electric Co.	925,740
South Jersey Gas Co.	495,840
Elizabethtown Consolidated Gas Co.	332,742
Long Island Lighting Co.	875,700
The Philadelphia Gas Works Co.	617,050
Piedmont Natural Gas Co., Inc.	112,513
Rate Schedule G-1:	
Alexander City, Ala.	42,867
Rockford, Ala.	723
Winder, Ga.	5,049
Atlanta Gas Light Co.	39,532
Butler, Ala.	1,654
Linden, Ala.	2,373
Newton County Gas Co.	6,922
Commerce, Ga.	7,610
Wedowee, Ala.	224
Georgia Gas Co.	5,384
Maplesville, Ala.	658
Thomaston, Ala.	943
Roanoke, Ala.	6,328
Monroe, Ga.	4,380
Clanton, Ala.	7,202
Wadley, Ala.	195
Buford, Ga.	4,058
Sugar Hill, Ga.	1,568
Jefferson, Ga.	2,523
Lawrenceville, Ga.	4,573
Rate Schedule G-2:	
Bowman, Ga.	1,655
Elberton, Ga.	10,310
Lavonia, Ga.	2,550
Public Service of N. C., Inc.	73,517
Danville, Va.	50,840
Carolina Natural Gas Corp.	18,925
Frederick Gas Co., Inc.	12,426
Hartwell, Ga.	6,578
Blacksburg, S. C.	2,028
Toccoa, Ga.	16,556
Laurens, S. C.	26,805
Royston, Ga.	4,401
South Carolina Gas Co.	22,758
North Carolina Gas Corp.	18,489
	10,869,684
Rate Schedule E:	
United Fuel Gas Co. (12 months ending Dec. 14, 1952)	231,312
Total	11,100,996

[F. R. Doc. 51-14397; Filed, Dec. 4, 1951;
8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-170, 54-172]

NIAGARA HUDSON POWER CORP.

SUPPLEMENTAL ORDER GRANTING APPLICATION
NOVEMBER 29, 1951.

Niagara Hudson Power Corporation
("Niagara Hudson"), having filed appli-

cations for approval of plans under section 11 (e) of the Public Utility Holding Company Act of 1935 ("act"), namely, a Consolidation Plan providing for the consolidation of the three principal subsidiaries of Niagara Hudson into a single new operating company, then referred to as the "New Operating Company" and now named "Niagara Mohawk Power Corporation" ("Niagara Mohawk"), and a Dissolution Plan providing for the dissolution of Niagara Hudson; and the Commission by order dated August 24, 1949, having approved said Plans; and the United States District Court for the Northern District of New York having entered its order dated November 4, 1949, enforcing said Plans; and said Order of the Court having been affirmed on appeal; and the Commission, on September 7, 1950, and said United States District Court, on September 28, 1950, having entered supplemental orders approving certain steps and transactions to complete consummation of the Dissolution Plan including an offer for the period December 4, 1950, to February 1, 1951, to the holders of nine or less than nine shares of Niagara Hudson common stock to receive cash in appropriate amounts in lieu of the Niagara Mohawk common stock and scrip to which such holders would be entitled under the Dissolution Plan; and said Plans having been substantially consummated, Niagara Hudson having been dissolved and its remaining assets and liabilities having been acquired and assumed by Niagara Mohawk as the successor in interest to Niagara Hudson; and

Niagara Mohawk having filed with the Commission an application for a further supplemental order approving the reinstatement of said cash offer by removing the time limitation of February 1, 1951, and granting in such order the necessary stamp tax relief upon the sales which may be made by Niagara Mohawk's Exchange Agent of Niagara Mohawk common stock in the event that holders of nine or less than nine shares of Niagara Hudson common stock elect to take cash rather than Niagara Mohawk common stock and scrip; and

It appearing to the Commission that the proposed reinstatement of the cash offer by removing the time limitation of February 1, 1951, is in the public interest and in the interest of investors, is necessary to effectuate the provisions of section 11 (b) of the act, is fair and equitable to the person affected, and conforms to the applicable requirements of the act, and that said application of Niagara Mohawk may appropriately be granted:

It is ordered, Pursuant to section 11 (e) and the other applicable provisions of the act, that said application be and it hereby is granted subject to the conditions specified in Rule U-24 of the general rules and regulations promulgated under the act, and subject to the reservations of jurisdiction contained in the Commission's order herein dated August 24, 1949;

It is further ordered, That this supplemental order shall not be operative to authorize consummation of the proposed transactions unless and until the United

States District Court for the Northern District of New York shall have entered a supplementary order modifying its said order dated September 28, 1950, so as to authorize consummation of such transactions;

It is further ordered and recited, That the following steps and transactions proposed in the Dissolution Plan to be effected by Niagara Hudson and Niagara Mohawk are necessary or appropriate to effectuate the provisions of section 11 (b) of the act and that said steps and transactions are hereby authorized, approved, and directed:

The sale by J. P. Morgan & Co., Incorporated, as Exchange and Fiscal Agent, of the shares of Niagara Mohawk common stock which would have been distributable to the holders of nine or less than nine shares of Niagara Hudson common stock had such holders not elected to receive a cash payment equal to the proceeds of sale thereof, and the transfer of such Niagara Mohawk common stock by such Exchange and Fiscal Agent.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14398; Filed, Dec. 4, 1951;
8:46 a. m.]

[File No. 70-2758]

MIDDLE SOUTH UTILITIES, INC., AND MISSISSIPPI POWER AND LIGHT CO.

NOTICE OF FILING AND NOTICE OF AND ORDER
FOR HEARING WITH RESPECT TO THE SALE
OF CERTAIN GAS PROPERTIES

NOVEMBER 29, 1951.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and its utility subsidiary, Mississippi Power & Light Company ("Mississippi Power"), have filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935 and have designated sections 11 (b) and 12 (d) thereof and Rule U-44 thereunder as applicable to the proposed transactions.

All interested persons are referred to such application-declaration which is on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Mississippi Power proposes to sell all of its gas properties and facilities, with the exception of certain relatively minor facilities used in connection with fuel supply for its electric operations, to Mississippi Valley Gas Company ("Mississippi Valley"), a corporation formed by Equitable Securities Corporation ("Equitable") under the laws of Mississippi, for the purpose of acquiring and operating such properties and facilities, for \$11,128,151, plus or minus certain closing adjustments. Equitable has agreed to underwrite for public distribution (either alone or as part of an underwriting group), or to arrange for the private placement of, or to purchase for its own account, securities of Mississippi

Valley in an amount which will provide Mississippi Valley with funds sufficient to purchase the gas properties.

The cash proceeds from the sale of its gas properties will be employed by Mississippi Power in developing its electric business.

Equitable has advised Middle South and Mississippi Power that upon consummation of the proposed transactions, it intends to take immediate steps to effect an underwriting or distribution of its holdings of Mississippi Valley.

It appearing to the Commission that it is appropriate in the public interest and in the interest of investors and consumers that a hearing be held with respect to such matters and that said application-declaration should not be granted or permitted to become effective except pursuant to further order of this Commission:

It is ordered, That a hearing on such matters under the applicable provisions of said act and rules and regulations of the Commission thereunder be held on December 12, 1951, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such day the hearing room clerk in Room 193 will advise as to the room where such hearing will be held. Any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before December 10, 1951 a request relative thereto as provided in Rule XVII of the Commission's rules of practice.

It is further ordered, That Richard Townsend or any other officer or officers of this Commission designated by it for that purpose shall preside at such hearing. The officer or officers so designated to preside at such hearing are hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a Hearing Officer under the Commission's rules of practice.

The Division of Public Utilities having advised the Commission that it has made a preliminary examination of the application-declaration and that upon the basis thereof the following matters and questions are presented for consideration, without prejudice to its specifying additional matters and questions upon further examination.

(1) Whether the sale of the gas properties of Mississippi Power, as now proposed or as hereinafter modified, meets the requirements of section 12 (d) of the act and the requirements of any other applicable provisions of the act and the rules and regulations thereunder.

(2) Whether the proposed disposition by Mississippi Power of its gas properties is necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

(3) Whether the fees and expenses to be paid, directly or indirectly in connection with the proposed transactions, are unreasonable.

(4) Whether the accounting treatment of the proposed transactions is

in accordance with sound accounting principles.

(5) Generally, whether the proposed transactions comply with all the applicable provisions and requirements of the act and the rules and regulations promulgated thereunder, and whether it is necessary or appropriate in the public interest and for the protection of investors or consumers and to prevent the circumvention of the provisions of the act and the rules and regulations, to impose any conditions in connection with any of the proposed transactions.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve by registered mail a copy of this order upon the applicants-declarants, upon Equitable Securities Corporation, and upon the Federal Power Commission, and that notice to all other persons shall be given by publication of this notice in the FEDERAL REGISTER and by general release of the Commission distributed to the Press and mailed to the names on the Commission's list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14400; Filed, Dec. 4, 1951;
8:46 a. m.]

[File No. 70-2735]

NEW ENGLAND GAS AND ELECTRIC ASSN.
ET AL.

ORDER AUTHORIZING SALE TO PARENT BY SUBSIDIARY OF ADDITIONAL COMMON STOCK, THE PURCHASE FOR THAT AMOUNT BY SUCH SUBSIDIARY OF ALL THE NET ASSETS OF TWO ASSOCIATE COMPANIES AND THE DISSOLUTION OF THE ASSOCIATES

NOVEMBER 29, 1951.

In the matter of New England Gas and Electric Association; Worcester Gas Light Company, Dedham and Hyde Park Gas Company, Milford Gas Light Company; File No. 70-2735.

Worcester Gas Light Company ("Worcester Gas"), Dedham and Hyde Park Gas Company ("Dedham Gas"), Milford Gas Light Company ("Milford Gas"), and their parent company, New England Gas and Electric Association ("NEGEA"), a registered holding company which owns all of the outstanding capital stocks of the three subsidiaries mentioned, having filed a joint application-declaration pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 ("act") and Rule U-50 (a) (1) promulgated thereunder with respect to the following proposed transactions:

Worcester Gas proposes to purchase and Dedham Gas and Milford Gas propose to sell all of the assets of Dedham

Gas and Milford Gas (subject to their liabilities other than capital stock) in consideration of cash payments of \$1,015,000 and \$159,800, respectively, or an aggregate of \$1,174,800. Worcester Gas proposes to finance such acquisitions by the issuance and sale to NEGEA of 46,992 additional shares of its \$25 par value common stock for \$1,174,800. Dedham Gas and Milford Gas each proposes to distribute the proceeds of the sales in liquidation and dissolve.

NEGEA, which carries its investments in Dedham Gas and Milford Gas at the related net asset value thereof as at December 31, 1946, plus subsequent investments at cost, proposes, in effect, to transfer the amount of its investments in such companies to its investment in Worcester Gas.

The facilities of Dedham Gas and Milford Gas are connected with those of Worcester Gas and the two former companies purchase virtually all their requirements of manufactured gas from Worcester Gas. The filing states that the proposed acquisition and consequent ownership of the properties by a single company will facilitate the most efficient operation thereof when natural gas becomes available in the territories involved.

The filing also states that no regulatory body other than this Commission has jurisdiction over the transactions proposed by NEGEA and, with respect to the other transactions proposed, that no other Federal commission or any State commission, other than the Department of Public Utilities of Massachusetts, which has issued an order approving Worcester's proposed issuance and sale of stock and purchases of assets, has jurisdiction over such other transactions. It is represented that the total expenses in connection with the proposed transactions are estimated at approximately \$3,200, including legal fees of about \$300. The filing requests that the Commission's order become effective upon issuance.

Due notice having been given of the filing of the application-declaration, and a hearing not having been requested or ordered by the Commission, and the Commission finding that the applicable provisions of the act and the rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration be granted and permitted to become effective forthwith:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that said joint application-declaration be, and it hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-14399; Filed, Dec. 4, 1951;
8:46 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Ceiling Price Regulation 7, Section 43,
Special Order 48, Amdt. 1]

HARTMANN Co.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 48 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special order 48 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of luggage manufactured by Hartmann Co. having the brand name "Hartmann" and described in the manufacturer's application dated April 16, 1951, as supplemented and amended by the manufacturer's applications dated May 8, 1951, May 9, 1951, June 15, 1951, September 29, 1951 and October 5, 1951.

The ceiling prices listed below which are marked with an Asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling Prices not marked with an asterisk are effective upon the effective date of this order.

The selling prices to retailers listed below are subject to terms of 2 percent 10 days, 30 days extra, due net 41 days.

Selling price to retailers:	Ceiling price at retail
\$14.50	\$25.00
\$15.65	28.50
\$16.00	27.50
\$16.50	30.00
\$17.00	31.00
\$17.75	32.50
\$18.75	34.00
\$19.25	35.00
\$19.75	36.00
\$20.00	36.50
\$20.75	37.50
\$21.75	38.50
\$21.75	39.50
\$22.00	40.00
\$22.75	41.50
\$23.25	42.50
\$23.75 through \$24.00	43.50
\$24.25	44.00
\$24.75	45.00
\$25.50	46.50
\$26.00	47.50
\$26.25	48.00
\$27.00	49.00
\$27.25	49.50
\$27.50	50.00
\$27.75	50.50

Selling price to retailers:	Ceiling price at retail
\$28.00	\$51.00
\$28.75 through \$28.99	*52.50
\$29.00	52.50
\$29.25	53.00
\$29.50	53.50
\$29.75	54.00
\$30.25	55.00
\$31.00	56.50
\$31.25 through \$31.49	*57.50
\$31.50 through \$31.75	57.50
\$32.25	58.50
\$32.75	59.50
\$33.00	60.00
\$34.00	62.00
\$34.25	62.50
\$35.00	63.50
\$35.75	65.00
\$36.50	66.50
\$37.00 through \$37.25	67.50
\$37.75	68.50
\$38.25	69.50
\$38.50	70.00
\$39.00	71.00
\$39.75 through \$40.00	72.50
\$40.25 through \$40.50	73.50
\$41.25	75.00
\$42.00	76.50
\$42.50 through \$42.75	77.50
\$43.25	78.50
\$43.75	79.50
\$44.00	80.00
\$45.25	82.50
\$45.75 through \$46.00	83.50
\$46.75	85.00
\$48.00 through \$48.25	87.50
\$48.50	88.50
\$49.25	89.50
\$49.50	90.00
\$51.00	92.50
\$52.25 through \$52.50	95.00
\$53.50	97.50
\$54.00 through \$54.25	98.50
\$55.00	100.00
\$56.25 through \$56.50	102.50
\$57.50 through \$57.74	*105.00
\$57.75	105.00
\$59.00	107.50
\$60.50	110.00
\$62.00	112.50
\$62.50	113.50
\$63.25	115.00
\$64.75	117.50
\$66.00	120.00
\$67.25	122.50
\$68.75 through \$70.00	*125.00
\$71.50	130.00
\$74.25	135.00
\$74.26 through \$74.50	*135.00
\$77.00	140.00
\$79.75	145.00
\$82.50	150.00
\$85.25	155.00
\$88.00	160.00
\$89.50	162.50
\$90.75 through \$91.00	165.00
\$93.50	170.00
\$96.00 through \$96.25	175.00
\$99.00	180.00
\$101.75	185.00
\$107.00 through \$107.25	195.00
\$111.00	200.00
\$115.50	210.00
\$118.00	215.00
\$121.00	220.00
\$123.75 through \$124.00	225.00
\$129.00	235.00
\$132.00	240.00
\$135.00	245.00
\$137.50	250.00
\$140.00	255.00

* Overseas tour robe having the style number 245C-168 35" in the manufacturer's application dated April 16, 1951, so long as it has a manufacturer's selling price of \$70.00 per unit, shall have a ceiling price at retail of \$127.50 per unit, and the manufacturer's selling price shall carry terms of 2 percent 10 days, 30 day extra due net 41 days F. O. B. Racine, Wisconsin.

Selling price to retailers:	Ceiling price at retail
\$151.25	\$275.00
\$156.50	285.00
\$165.00	300.00
\$179.00	325.00
\$181.50	330.00
\$184.00	335.00
\$192.50	350.00
\$195.00	355.00
\$203.50	370.00
\$206.00	375.00
\$209.00	380.00
\$211.50	385.00
\$220.00	400.00
\$225.50	410.00
\$228.00	415.00
\$236.50	430.00
\$247.00	450.00
\$266.00	485.00
\$272.00	495.00
\$275.00	500.00
\$288.50	525.00
\$294.00	535.00
\$316.00	575.00
\$355.00	645.00
\$377.00	685.00
\$382.00	695.00

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the manufacturer shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the manufacturer had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the manufacturer shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the manufacturer had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective November 29, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14368; Filed, Nov. 29, 1951;
4:41 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 68, Amdt. 2]

WILLIAM HOLLINS & Co., LTD., AND
WILLIAM HOLLINS & Co., INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 68 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amend-

ment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 68 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of Viyella fabrics manufactured by William Hollins & Co., Ltd., having the brand name "Viyella" and described in the manufacturer's application dated April 7, 1951, and supplemented and amended by the manufacturer's applications dated August 21, 1951, and October 22, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2/10—Net 60 if invoiced in the United States currency, or 2½/60 if invoiced in English currency.

VIYELLA FABRICS

Manufacturer's selling price (per yard):	Ceiling price at retail (per yard)
\$1.35 through \$1.45	\$2.35
\$1.46 through \$1.58	2.50
\$1.59 through \$1.75	2.75
\$1.76 through \$2.00	3.25
\$2.01 through \$2.32	*3.75
\$2.33 through \$2.59	*4.25

2. Delete paragraph 2 of the special order and substitute therefor the following:

2. The following ceiling prices are established for sales by any seller at retail of fabrics, men's and boys' sport shirts and men's robes and pajamas manufactured by William Hollins & Company, Inc., having the brand name "Viyella", and described in the manufacturer's application dated April 7, 1951, and supplemented and amended by the manufacturer's application dated August 21, 1951, and October 22, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this special order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2/10—Net 60 if invoiced in United States currency, or 2½/60 if invoiced in English currency.

FABRICS

Manufacturer's selling price (per yard):	Ceiling price at retail (per yard)
\$1.35 through \$1.45	\$2.35
\$1.46 through \$1.58	2.50
\$1.59 through \$1.75	2.75
\$1.76 through \$2.00	3.25
\$2.01 through \$2.32	*3.75
\$2.33 through \$2.59	*4.25

MEN'S AND BOYS' SPORT SHIRTS, MEN'S ROBES AND PAJAMAS

\$70.00 through \$75.00	\$9.95
\$75.01 through \$79.99	10.50
\$80.00 through \$85.99	11.50
\$86.00 through \$92.00	12.50
\$92.01 through \$96.99	13.25
\$97.00 through \$101.99	14.25
\$102.00 through \$110.00	15.00
\$110.01 through \$114.99	15.75
\$115.00 through \$125.00	16.50
\$125.01 through \$139.99	19.00
\$140.00 through \$155.00	21.50
\$155.01 through \$170.00	22.95
\$170.01 through \$188.00	25.00
\$188.01 through \$202.00	27.50
\$202.01 through \$218.00	28.50
\$218.01 through \$235.00	32.50
\$235.01 through \$255.00	35.00

Effective date. This amendment shall become effective on November 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14369; Filed, Nov. 29, 1951; 4:42 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 71, Amdt. 1]

MAIDEN FORM BRASSIERE CO., INC.

CEILING PRICES AT RETAIL

Statement of considerations. Special Order 71 under section 43 of Ceiling Price Regulation 7 established ceiling prices for sales at retail of foundation garments manufactured by Maiden Form Brassiere Co., Inc., having the brand name "Maidenform". The special order required the manufacturer to mark each article covered by the special order with the retail ceiling price fixed under the special order or to attach to each article a label, tag or ticket stating the retail ceiling price.

Maiden Form Brassiere Co., Inc., has filed an application for an extension of time in which to meet this preticketing requirement for certain of its style numbers. The applicant states that such style numbers comprise about 20 percent of the dollar volume of the applicant's business. The application points out that the applicant has a large inventory of these style numbers. These style numbers are individually labeled with the retail prices established by the special order but the labels do not have the exact phraseology required by the special order. To require the applicant to remove old price labels and affix new labels would create undue hardship both by way of time and expense. The applicant has submitted an alternative method of labeling which, in the opinion of the Director, conforms with the provisions of section 43, Ceiling Price Regulation 7.

Under the special circumstances set forth by the applicant the Director has

determined that the requested amendment should be granted.

Amendatory provisions. Special Order 71, under section 43 of Ceiling Price Regulation 7, is amended in the following respects:

1. In paragraph 3 of the special order insert the subparagraph designation "a" after the paragraph designation "3".

2. Following paragraph 3, now appearing in the special order, insert the following subparagraph:

(b) Style numbers 1040, 1041, 1050, 1051, 1240, 1250, 1251, 1702, 1710, 1712, 1733, 1737, 1742, 1743, 1744, 1747, 1748, 1749, 1755, 1762, 2137, 2197, 2700, 2710, 2717, 3109, 3114, 3119, 3127, 3128, 3133, 3137, 3138, 3174, 3177, 4136, 4169, 4919, 4947, 4949, 4957, 4959, 5128, 5138, 5329, 5339, 5513, 5515, 5517, 5563, 5572, 6400, 6428, 6438, 6512, 6517, 7025, 7035, 7309, 7312, 7313, 7319, 7327, 7337, 7366, 7377, 7397, 7433, 8833, 8837, 8839c, 9117, 9139, 9177, 4133, are excepted from the preticketing provisions of subparagraph 3 (a) until January 9, 1952. On and after January 9, 1952, Maiden Form Brassiere Co., Inc. must, as to the style numerals listed above, comply with the preticketing requirements of subparagraph 3 (a).

On and after February 8, 1952, retailers must, as to style numbers listed above, comply with the ticketing requirements of subparagraph 3 (a).

Effective date. This amendment shall become effective on November 29, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14370; Filed, Nov. 29, 1951; 4:43 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 245, Amdt. 1]

FORTIS STYLE INDUSTRIES, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 245 establishes new retail ceiling prices for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 245 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of men's hats, men's and boys' caps

NOTICES

and gloves manufactured or distributed by Portis Style Industries, Inc., having the brand names "Portis Crest," "Portis Breeze," "Portis Supreme," "Portis Super-Lux," "Portis Super-Breeze," "Portis Tissue Weight," "Portis Sterling," "Portis Breeze-Lux," "Portis Beaver-Blend," "Portis Tissue Light," "Portis Beaver-Lux," "Portis Velvet-Tex," "Hugger," "Hopalong Cassidy," and "Triplex," and described in the manufacturer's three applications dated June 13, 1951, June 19, 1951 and July 6, 1951, and supplemented and amended by the manufacturer's undated applications filed with the Office of Price Stabilization on September 21, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made below the retail ceiling prices.

The selling prices to retailers listed below are subject to terms of 2 percent 10 EOM on Hugger Caps, 2 percent 30 days on Portis Hats and 30 days net on Art and Triplex Gloves. In addition, jobbers, distributors and chain stores making quantity purchases of caps, hats, and gloves covered by the special order receive a further discount of 6 percent.

HUGGER CAP DIVISION

Selling price to retailers (per dozen):	Ceiling price at retail (per unit)
\$6.75 through \$7.00	*\$0.95
\$7.25 through \$7.49	1.00
\$7.50	1.00
\$8.50 through \$8.99	*1.25
\$9.00	1.25
\$10.50 through \$11.00	1.50
\$11.01 through \$11.25	*1.50
\$11.50 through \$12.50	1.75
\$13.50 through \$15.00	1.95
\$17.50 through \$18.00	2.50
\$21.00 through \$23.50	2.95
\$27.00 through \$29.00	3.95
\$34.50 through \$37.50	5.00

PORTIS HAT DIVISION

\$36.00 through \$37.50	\$5.00
\$45.50 through \$47.00	6.50
\$52.50 through \$57.00	7.50
\$60.00 through \$63.00	8.50
\$72.00	10.00
\$87.00 through \$93.00	12.50

ART GLOVE DIVISION

\$9.50	\$1.29
\$12.75	1.79
\$16.00 through \$16.75	2.25
\$17.50 through \$18.50	2.45
\$19.50	2.69
\$21.00	2.89
\$36.00	*5.00

2. Delete paragraph 4 of the special order and substitute therefor the following:

4. Within 15 days after the effective date of this special order the supplier shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the effective date, the supplier had delivered any article covered in paragraph 1 of this special order. Copies shall also be sent to all other purchasers on or before the date of the first delivery of any such article subsequent to the effective date of

this special order, and shall be accompanied by copies of each amendment thereto issued prior to the date of the delivery.

Within 15 days after the effective date of any subsequent amendment to this special order, the supplier shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, the supplier had delivered any article the sale of which is affected in any manner by the amendment.

Effective date. This amendment shall become effective November 29, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14371; Filed, Nov. 29, 1951;
4:43 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 511, Amdt. 1]

SANSON HOSIERY MILLS, INC.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 511 establishes new retail ceiling prices for certain of applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

In addition, this amendment deletes the brand name "Willys of Hollywood" from the special order. The hosiery appearing under this brand name have been consolidated with the "Picturesque" line.

Amendatory provisions. Special Order 511 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1(a) The following ceiling prices are established for sales by any seller at retail of women's hosiery manufactured by Sanson Hosiery Mills, Inc. having the brand name "Picturesque" and described in the manufacturer's application dated May 3, 1951, as supplemented and amended by the manufacturer's application dated September 12, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made at less than the ceiling price.

The selling prices to retailers listed below are net per dozen pair.

Selling price to retailer (per dozen pair):	Ceiling price at retail (per pair)
\$10.80	*\$1.50
\$12.75	*1.75
\$14.25	1.95
\$16.00	2.25
\$17.50	2.50
\$21.00	2.95
\$35.00	4.95
\$51.00	7.50

(b) The retail ceiling price of an article fixed by paragraph 1 of this special order shall apply to any other article of the same type which is otherwise priceable under Ceiling Price Regulation 7, by retailers subject to that regulation, having the same selling price and terms of sale to the retailer, the same brand name and first sold by the manufacturer after the effective date of this special order.

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers.*—(a) Notice to be given by applicant. (1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notice to be given by purchasers for resale (other than retailers).* (1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within fifteen days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective November 29, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14372; Filed, Nov. 29, 1951;
4:43 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 645, Amdt. 1]

COLUMBUS PLASTIC PRODUCTS, INC.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. This amendment to Special Order 645, issued under section 43 of Ceiling Price Regulation 7, to Columbus Plastic Products, Inc., extends the date by which the applicant was required to mark or tag its branded articles. The extension is granted on applicant's demonstration of its inability to preticket in the manner set forth in the special order by the date specified.

Amendatory provisions. Special Order 645, under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. In paragraph 2, substitute for the date "November 12, 1951," the date "February 10, 1952."

2. In paragraph 2, substitute for the date "December 12, 1951," wherever it appears, the date "March 10, 1952."

Effective date. This amendment shall become effective November 29, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14374; Filed, Nov. 29, 1951; 4:44 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 601, Amdt. 1]

MAGNUS HARMONICA CORP.

CEILING PRICES AT RETAIL

Statement of considerations. This amendment to Special Order 601 establishes new retail ceiling prices in a western zone for certain of the applicant's branded articles. These new retail ceiling prices are listed in paragraph 1 of the special order and marked with an asterisk. The ceiling prices established prior to this amendment for the eastern zone and still in effect are listed without an asterisk.

The Director has determined, on the basis of information available to him, that the retail ceiling prices requested are in line with those already granted and are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

Amendatory provisions. Special Order 601 under Ceiling Price Regulation 7, section 43, is amended in the following respects:

1. Delete paragraph 1 of the special order and substitute therefor the following:

1. The following ceiling prices are established for sales by any seller at retail of harmonicas, concertinas, keymonicas, flutes, play cordians, accordians, portable electric organs, and bagpipes, manufactured by Magnus Harmonica Corporation, having the brand name "Magnus," and described in the manufacturer's application dated July 26, 1951, as supplemented and amended by the manufacturer's applications dated September 10, 1951, and November 7, 1951.

The ceiling prices listed below which are marked with an asterisk shall become effective on receipt of a copy of this order by the retailer, but in no event later than 30 days after the effective date of this order. Ceiling prices not marked with an asterisk are effective upon the effective date of this order. Sales may, of course, be made at less than the ceiling price.

The ceiling prices established for the western zone vary from those established for the eastern zone. The western zone is comprised of the states of New Mexico, Colorado, Wyoming, Montana, Idaho, Utah, Nevada, Oregon, Washington, California, and Arizona. The eastern zone includes the remainder of the United States.

HARMONICAS

Item No.	Ceiling price at retail (Western Zone)	Ceiling price at retail (Eastern Zone)
6.....	*\$0.10	\$0.10
12, 12C.....	*.20	.20
15.....	*.25	.25
20B.....	*.30	.30
39.....	*.49	.39
40x.....	*.50	.50
30B.....	*.69	.60
80, 90, 80B.....	*1.00	1.00
950.....	*1.29	1.19
312.....	*1.99	1.90
500.....	*4.49	3.98

KEYMONICAS

56.....	*\$0.89	\$0.89
100.....	*1.19	1.19

ACCORDIONS

17.....	*\$0.69	\$0.69
612, A612.....	*2.19	1.98
1020, A1020.....	*4.98	4.69
2456.....	*9.95	9.95

ORGAN, CONCERTINA, BAGPIPE FLUTE

98.....	*\$1.00	\$0.98
718.....	*3.69	3.49
800.....	*6.49	5.95
1510.....	*19.95	19.95

2. Delete paragraph 3 of the special order and substitute therefor the following:

3. *Notification to resellers.*—(a) *Notice to be given by applicant.* (1) After receipt of this special order, a copy of this special order shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order to each purchaser for resale to whom, within two months immediately prior to the receipt of this special order, the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner.

(4) The applicant must supply each purchaser for resale (other than a retailer) with sufficient copies of this special order and any amendment to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notice to be given by purchasers for resale (other than retailers).* (1) A copy of this special order shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within fifteen days of receipt of this special order, each purchaser for resale (other than retailers) shall send a copy of the order to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner.

Effective date. This amendment shall become effective November 29, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14373; Filed, Nov. 29, 1951; 4:43 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 743]

GENERAL ELECTRIC CO., SMALL APPLIANCE DIVISION, CLOCK DEPARTMENT

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, General Electric Company, Small Appliance Division, Clock Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. **Ceiling prices.** The ceiling prices for sales at retail of electric clocks sold through wholesalers and retailers and having the brand name(s) "General G-E Electric", "General Electric", or "General Electric Company" interchangeably shall be the proposed retail ceiling prices listed by General Electric Company, Small Appliance Division, Clock Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, hereinafter referred to as the "applicant" in its application dated May 16, 1951, and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in manufacturer's application dated October 19, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than January 29, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. **Marking and tagging.** On and after February 28, 1952, General Electric Company, Small Appliance Division, Clock Department, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after February 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the sixty-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. **Notification to resellers—(a) Notices to be given by applicant.** (1) After receipt of this special order, a copy of this spe-

cial order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in Paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by Paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) **Notices to be given by purchasers for resale (other than retailers).** (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. **Reports.** Within 45 days of the expiration of the first six-month period following the effective date of this special

order and within 45 days of the expiration of each successive six-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that six-month period.

5. **Other regulations affected.** The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. **Revocation.** This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. **Applicability.** The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective November 30, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14376; Filed, Nov. 29, 1951;
4:44 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 744]

GENERAL ELECTRIC CO.
CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, General Electric Company, Small Appliance Division, Electric Housewares Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number

of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. **Ceiling prices.** The ceiling prices for sales at retail of mixers, mixer accessories, roasters, sandwich grills, waffle irons, toasters, irons, and broiler-griddles sold through wholesalers and retailers and having the brand name(s) "General Electric Company", "General Electric", or "General—G. E.—Electric" interchangeably shall be the proposed retail ceiling prices listed by General Electric Company, Small Appliance Division, Electric Housewares Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, hereinafter referred to as the "applicant" in its application dated September 5, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated October 19, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than January 29, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. **Marking and tagging.** On and after January 29, 1952, General Electric Company, must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after February 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the

expiration of the 60-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. **Notification to resellers.**—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within 2 months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each pur-

chaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. **Reports.** Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. **Other regulations affected.** The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. **Revocation.** This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. **Applicability.** The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective November 30, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14377; Filed, Nov. 29, 1951; 4:44 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 745]

GENERAL ELECTRIC CO. SMALL APPLIANCE
DIVISION, AUTOMATIC BLANKET DEPARTMENT

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, General Electric Company, Small Appliance Division, Automatic Blanket Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing re-

tail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. **Ceiling prices.** The ceiling prices for sales at retail and wholesale of electric blankets sold through retailers and wholesalers and having the brand name(s) "General Electric Automatic Blanket" or "GE Automatic Blanket" interchangeably shall be the proposed retail and wholesale ceiling prices listed by General Electric Company, Small Appliance Division, Automatic Blanket Department, 1285 Boston Avenue, Bridgeport, Connecticut, hereinafter referred to as the "applicant" in its application dated April 9, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in manufacturer's applications dated October 22, 1951 and November 9, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than January 29, 1952, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. **Marketing and tagging.** On and after January 29, 1952, General Electric Company, Small Appliance Division, Automatic Blanket Department must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after February 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pretick-

eting requirements of this paragraph within 60 days after the effective date of the amendment. After 90 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 90-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. **Notification to resellers—(a) Notices to be given by applicant.** (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within 15 days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within 2 months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)	(Column 3)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1	Wholesaler's ceiling price for articles listed in column 1
-----	\$-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) **Notices to be given by purchasers for resale (other than retailers).** (1) A copy of this special order, together with the annexed notice of ceiling prices described in subparagraph 3 (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than

retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. **Reports.** Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6 month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. **Other regulations affected.** The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. **Revocation.** This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. **Applicability.** The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective November 30, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14378; Filed, Nov. 29, 1951;
4:45 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 746]

ROSE-DERRY CO. OF CALIFORNIA

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: Rose-Derry Company of California, 1616 S. Figueroa Street, Los Angeles 15, California.

Brand names: "Kantwet Fold-A-Crib".

Articles: A folding crib.

2. Retail ceiling prices for listed articles. Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. Retail ceiling prices for unlisted items. Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. Retail ceiling prices affected by amendment to this order. This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. Marking and tagging. This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later

than 60 days after the effective date of the amendment.

6. Applicability. This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) **Sending order and list to old customers.** Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within 2 months immediately prior to the effective date, you had delivered any article covered by this order.

(b) **Notification to new customers.** A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) **Notification with respect to amendments.** Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within 2 months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) **Notification to OPS.** Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. Ceiling price list. The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$-----per-----{unit, dozen, etc.	\$-----
Terms {net, percent EOM, etc.	

9. Pre-ticketing requirements. As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. Sales volume reports. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 30th of November 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14379; Filed, Nov. 29, 1951;
4:45 p.m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 747]

WAGNER MFG. CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers.—1. What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Wagner Manufacturing Company, 502 Fair Avenue, Sidney, Ohio.

Brand names: "Wagner Cast Iron Ware" and "Wagner Magnalite Ware".
Articles: Cooking utensils.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to pre-ticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date, you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with

a copy of the list referred to in section 8 below, to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15 days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order, you shall send a copy of the list of prices referred to in section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling Price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$----- per ----- (unit, dozen, etc.)	\$-----
Terms: (net, percent EOM, etc.)	

9. *Preticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 30th of November 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14380; Filed, Nov. 29, 1951; 4:45 p. m.]

[Ceiling Price Regulation 7, Section 43, Special Order 748]

RUDOLPH WURLITZER CO.

CEILING PRICES AT RETAIL

Statement of considerations. This is an order establishing uniform retail prices issued upon the basis of an application filed by a supplier under section 43 of CPR 7. This section gives a manufacturer or wholesaler the right to apply for uniform retail ceiling prices for certain of his branded articles. This section requires that the articles must customarily have been sold at substantially uniform prices, and the ceiling prices applied for must not raise the general level of prices under CPR 7. The order may, of course, be amended or revoked if further review shows that the requirements of the regulation have not been fully met.

This special order requires each article to be tagged or marked with the retail ceiling price. The supplier must send to each retailer a copy of this special order, as well as a list of ceiling prices for each article or cost line and notice of all amendments. The order requires the supplier to file certain sales reports with OPS.

Retailers will be concerned with sections 1 through 6 of this special order which contain provisions applying to them. The rest of the order is of interest primarily to the applicant.

Order. For the reasons set forth in the statement of considerations and pursuant to section 43 of CPR 7, it is ordered that the following provisions be in effect:

Provisions for retailers—(1) What this order does. Sections 1 through 6 apply to you and establish uniform ceiling prices if you sell at retail the articles identified below:

Name and address of applicant: The Rudolph Wurlitzer Company, 105 W. Adam Street, Chicago 3, Ill.

Brand names: "Wurlitzer".

Articles: Pianos and benches.

2. *Retail ceiling prices for listed articles.* Your ceiling prices for sales at retail of the articles identified above are the retail prices listed in your supplier's application filed with OPS. These prices will be included in a list which will be annexed to the copy of this order which you will receive from your supplier. The list of ceiling prices will be filed with the Federal Register as an appendix to this special order as soon as practicable. These ceiling prices are effective 10 days after you receive this order and the ceiling price list but in no event later than 60 days after the date this order is issued. You shall not sell above these

ceiling prices. You may, of course, sell below these prices.

3. *Retail ceiling prices for unlisted items.* Some or all of the retail ceiling prices in this order are fixed in terms of the cost of the article to you. Whenever you receive one of applicant's branded articles which is in the same category and which has the same net cost as one covered by the list, the ceiling price for such article shall be the same as the ceiling price for the article having that same net cost.

4. *Retail ceiling prices affected by amendment to this order.* This order may be amended from time to time or it may be revoked. If so, the applicant is required to send you a copy of the revocation or amendment, together with any list of changes or additions in retail ceiling prices. The ceiling prices contained in any such amendment become your ceiling prices.

5. *Marking and tagging.* This order requires your supplier to preticket his articles by an early date. The label, tag or ticket must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

After 90 days from the effective date of this order, unless you receive articles marked or tagged in this form, you must so mark or tag them yourself. Before that date you must mark, tag or post your prices in the manner required by the regulation which applies in the absence of this special order.

With respect to articles the ceiling prices of which are affected by any amendment to this order, the same rules apply except that you must mark or tag such articles as stated above not later than 60 days after the effective date of the amendment.

6. *Applicability.* This special order establishes your ceiling prices for the articles covered by it regardless of whether you would otherwise price the articles under CPR 7 or any other regulation. It applies to sales in the 48 states and the District of Columbia.

Provisions for the applicant—7. Notification to retailers. As the manufacturer or wholesaler to whom this special order is issued, you shall do the following:

(a) *Sending order and list to old customers.* Within 15 days after the effective date of this special order, you shall send a copy of this order, together with a copy of the list referred to in section 8 below to each purchaser for resale to whom, within two months immediately prior to the effective date, you had delivered any article covered by this order.

(b) *Notification to new customers.* A copy of this special order and the list shall be sent to all other purchasers for resale on or before the date of the first delivery of any article covered by this order.

(c) *Notification with respect to amendments.* Within 15 days after the effective date of any subsequent amendment to this order, you shall send a copy of the amendment to each purchaser to whom, within two months immediately prior to the effective date of such amendment, you had delivered any article included in such amendment. Within 15

days after any amendment, the amendment shall also be included with the notification to new customers.

(d) *Notification to OPS.* Within 15 days of the effective date of this order you shall send a copy of the list of prices referred to in Section 8 below to the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

8. *Ceiling price list.* The ceiling price list must be annexed to a copy of the order and shall contain the cost and discount terms to retailers for each article covered by this special order and the corresponding retail ceiling prices fixed by the order. The notice shall be in substantially the following form:

(Column 1)	(Column 2)
Price to retailers	Retailer's ceilings for articles of cost listed in column 1
\$----- per----- {unit, dozen, etc.	\$-----
{net, Terms: percent EOM, etc.	

9. *Pre-ticketing requirements.* As the applicant to whom this special order is issued, you must, within 60 days after the effective date of this order (or in the case of an amendment within 60 days after the effective date of that amendment), mark each article covered by this order with a statement in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

Instead of marking the article you may attach a label, tag or ticket containing the same information.

10. *Sales volume reports.* Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, you shall file with the Distribution Branch, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which you have delivered in that 6-month period.

This special order may be amended or revoked at any time.

Effective date. This special order shall become effective on the 30th of November 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14381; Filed, Nov. 29, 1951;
4:46 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 749]

DAVOL RUBBER CO.

CEILING PRICES AT RETAIL AND WHOLESALE

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, Davol Rub-

ber Company, 69 Point Street, Providence, R. I., has applied to the Office of Price Stabilization for maximum resale prices for retail and wholesale sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the articles a copy of this special order, a notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. *Ceiling prices.* The ceiling prices for sales at retail and wholesale of complete nurser #184 sold through retailers and wholesalers and having the brand name(s) "Daval" and "Anti-Colic Brand" shall be the proposed retail and wholesale ceiling prices listed by Davol Rubber Company, 69 Point Street, Providence, R. I., hereinafter referred to as the "applicant" in its application dated November 5, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C.

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than February 28, 1952, no seller at retail or wholesale may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. *Marking and tagging.* On and after February 28, 1952, Davol Rubber Company must mark each article for which a ceiling price has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after March 29, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to March 29, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the pre-ticketing requirements of this paragraph within 60 days after the effective date of the amendment. After 90 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the 90 day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. Notification to resellers.—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price and corresponding wholesale ceiling price. The notice shall be in substantially the following form:

(Column 1)	(Column 2)	(Column 3)
Item (style or lot number or other description)	Retailer's ceiling price for articles listed in column 1	Wholesaler's ceiling price for articles listed in column 1
-----	\$-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such

purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in sub-paragraph 3 (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. Reports. Within 45 days of the expiration of the first 6-month period following the effective date of this special order and within 45 days of the expiration of each successive 6-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that 6-month period.

5. Other regulations affected. The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. Revocation. This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. Applicability. The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective November 30, 1951.

MICHAEL V. DiSALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14382; Filed, Nov. 29, 1951; 4:46 p. m.]

[Ceiling Price Regulation 7, Section 43,
Special Order 750]

GENERAL ELECTRIC CO., SMALL APPLIANCE
DIVISION, AUTOMATIC BLANKET DEPARTMENT

CEILING PRICES AT RETAIL

Statement of considerations. In accordance with section 43 of Ceiling Price Regulation 7, the applicant named in the accompanying special order, General Electric Company, Small Appliance Division, Automatic Blanket Department,

1285 Boston Avenue, Bridgeport 2, Connecticut, has applied to the Office of Price Stabilization for maximum resale prices for retail sales of certain of its articles. Applicant has submitted the information required under this section and has produced evidence which in the judgment of the Director indicates that the applicant has complied with other stated requirements.

The Director has determined on the basis of information available to him, including the data and certified conclusions of fact submitted by the applicant, that the retail ceiling prices requested and which are established by this special order are no higher than the level of ceiling prices under Ceiling Price Regulation 7.

The special order contains provisions requiring each article to be marked by the applicant with the retail ceiling price established by the accompanying special order. The applicant and intermediate distributors are required to send purchasers of the article a copy of this special order, notice listing retail ceiling prices for each cost line and, in specified cases, of subsequent amendments of this special order.

The special order also requires applicant to file with the Distribution Branch regular reports setting forth the number of units of each article covered by this special order which applicant has delivered during the reporting period. This requirement conforms with the provisions of section 43, Ceiling Price Regulation 7.

Special provisions. For the reasons set forth in the statement of considerations and pursuant to section 43 of Ceiling Price Regulation 7, this special order is hereby issued.

1. Ceiling prices. The ceiling prices for sales at retail of electric heaters, heating pads and heat lamps sold through wholesalers and retailers and having the brand name(s) "General Electric Company", "General Electric", "General G-E Electric" or "GE", interchangeably shall be the proposed retail ceiling prices listed by General Electric Company, Small Appliance Division Automatic Blanket Department, 1285 Boston Avenue, Bridgeport 2, Connecticut, hereinafter referred to as the "applicant" in its application dated June 8, 1951 and filed with the Office of Price Stabilization, Washington 25, D. C. (and supplemented and amended in the manufacturer's application dated October 22, 1951).

A list of such ceiling prices will be filed by the Office of Price Stabilization with the Federal Register as an appendix to this special order as soon as practicable. On and after the date of receipt of a copy of this special order, with notice of prices annexed, but in no event later than January 29, 1952, no seller at retail may offer or sell any article covered by this special order at a price higher than the ceiling price established by this special order. Sales may be made, of course, at less than the ceiling prices.

2. Marking and tagging. On and after January 29, 1952, General Electric Company, Small Appliance Division, Automatic Blanket Department must mark each article for which a ceiling price

has been established in paragraph 1 of this special order with the retail ceiling price under this special order or attach to the article a label, tag, or ticket stating the retail ceiling price. This mark or statement must be in the following form:

OPS—Sec. 43—CPR 7
Price \$-----

On and after February 28, 1952, no retailer may offer or sell the article unless it is marked or tagged in the form stated above. Prior to February 28, 1952, unless the article is marked or tagged in this form, the retailer shall comply with the marking, tagging and posting provisions of the regulation which would apply in the absence of this special order.

Upon issuance of any amendment to this special order which either adds an article to those already listed in the application or changes the retail ceiling price of a listed article, the applicant named in this special order must comply as to each such article with the preticketing requirements of this paragraph within 30 days after the effective date of the amendment. After 60 days from the effective date, no retailer may offer or sell the article unless it is ticketed in accordance with the requirements of this paragraph. Prior to the expiration of the sixty-day period, unless the article is so ticketed, the retailer must comply with the marking, tagging, and posting provisions of the regulation which would apply in the absence of this special order.

3. *Notification to resellers*—(a) *Notices to be given by applicant.* (1) After receipt of this special order, a copy of this special order and the notice described below shall be sent by the applicant to each purchaser for resale on or before the date of the first delivery of any article covered in paragraph 1 of this special order.

(2) Within fifteen days after the effective date of this special order, the applicant shall send a copy of this special order and the notice described below to each purchaser for resale to whom within two months immediately prior to the receipt of this special order the applicant had delivered any article covered by paragraph 1 of this special order.

(3) The applicant must notify each purchaser for resale of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described below.

(4) The applicant shall annex to this special order or amendment a notice listing the style or lot number, name, or other description of each item covered by this special order or amendment and its corresponding retail ceiling price. The notice shall be in substantially the following form:

(Column 1) Item (style or lot number or other description)	(Column 2) Retailer's ceiling price for articles listed in column 1
-----	\$-----

(5) Within 15 days after the effective date of this special order or any amendment thereto, two copies of the ceiling price notice above described must be filed by the applicant with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C.

(6) The applicant must supply each purchaser for resale other than a retailer with sufficient copies of this special order, amendment and notices to permit such purchasers for resale to comply with the notification requirements of this special order.

(b) *Notices to be given by purchasers for resale (other than retailers).* (1) A copy of this special order, together with the annexed notice of ceiling prices described in sub-paragraph (a) (4) of this section, shall be sent by each purchaser for resale (other than retailers) to each of his purchasers on or before the date of the first delivery after receipt of a copy of this special order.

(2) Within 15 days of receipt of this special order and the annexed notice, each purchaser for resale (other than retailers) shall send a copy of the order and notice to each of his purchasers to whom, within two months prior to receipt of this special order, his records indicate he had delivered any article covered by paragraph 1 of this special order.

(3) Each purchaser for resale (other than retailers) must notify each purchaser of any amendment to this special order in the same manner, annexing to the amendment an appropriate notice as described above.

4. *Reports.* Within 45 days of the expiration of the first six-month period following the effective date of this special order and within 45 days of the expiration of each successive six-month period, the applicant shall file with the Distribution Branch, Consumer Soft Goods Division, Office of Price Stabilization, Washington 25, D. C., a report setting forth the number of units of each article covered by this special order which he has delivered in that six-month period.

5. *Other regulations affected.* The provisions of this special order establish the ceiling price for sales at retail of the articles covered by it, regardless of whether the retailer is otherwise subject to Ceiling Price Regulation 7 or any other regulation.

6. *Revocation.* This special order or any provisions thereof may be revoked, suspended, or amended by the Director of Price Stabilization at any time.

7. *Applicability.* The provisions of this special order are applicable in the United States and the District of Columbia.

Effective date. This special order shall become effective November 30, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

NOVEMBER 29, 1951.

[F. R. Doc. 51-14383; Filed, Nov. 29, 1951; 4:47 p. m.]

[Ceiling Price Regulation 83, Section 2, Special Order 2]

KAISER-FRAZER CORP.

BASIC PRICES AND CHARGES FOR NEW PASSENGER AUTOMOBILES

Statement of considerations. A schedule of prices and charges for sellers of new passenger automobiles manufactured by the Kaiser-Frazer Corporation is established by this Special Order pursuant to section 2 of Ceiling Price Regulation 83. This section provides that the Director will establish the basic prices for new automobiles for sellers at retail and wholesale, and also establish the charges for extra, special and optional equipment for these automobiles that are sold by the manufacturer.

Special provisions. For the reasons set forth in the Statement of Considerations and pursuant to section 2 of Ceiling Price Regulation 83, this Special Order is hereby issued.

1. The basic prices, as defined in Ceiling Price Regulation 83, section 2, which retail and wholesale sellers will use in determining the ceiling prices of automobiles manufactured by the Kaiser-Frazer Corporation, for the several body styles in each line or series of the various makes, are as follows:

Henry J:	
Henry J.....	\$1,331.57
Henry J DeLuxe.....	1,466.38
Kaiser Special:	
2-door Traveler.....	2,084.97
4-door Sedan.....	2,036.24
Business Coupe.....	1,831.55
2-door Sedan.....	1,987.50
4-door Traveler.....	2,133.72
Club Coupe.....	1,968.00
Kaiser DeLuxe:	
2-door Traveler.....	2,192.20
4-door Sedan.....	2,143.46
Business Coupe.....	1,987.50
2-door Sedan.....	2,094.73
4-door Traveler.....	2,240.93
Club Coupe.....	2,114.22
Frazer:	
4-door Sedan.....	2,217.58
Vagabond.....	2,256.58
Frazer Manhattan:	
4-door Sedan with overdrive transmission.....	2,816.15
4-door Sedan with hydramatic transmission.....	2,888.81
4-door Convertible with overdrive transmission.....	2,816.15
4-door Convertible with hydramatic transmission.....	2,888.81

2. The charges for factory installed extra, special or optional equipment which wholesalers and retail sellers will use in determining the ceiling prices of automobiles manufactured by the Kaiser-Frazer Corporation are as follows:

Accessory Group No. 1 (Kaiser Special).....	\$17.94
(Includes oil bath air cleaner and directional signals.)	
Accessory Group No. 5 (Frazer and Frazer Manhattan).....	20.00
(Includes directional signals, rear seat lighter; tail pipe extension; tilt-type non-glare mirror; stainless steel wheel donut discs and windshield washer.)	

Accessory Group No. 8 (Henry J and Henry J DeLuxe).....	\$42.48
(Includes cigarette lighter; full stainless steel hub cap discs, chrome plated horn blowing rings; 2 front and 2 rear bumper guards, second horn and 2 ash receivers in rear compartment.)	
Accessory Group No. 9 (DeLuxe 4-door Sedans and 4-door Travelers).....	113.91
(Includes oil bath air cleaner; directional signals; rear seat cigarette lighter; DeLuxe bumper guard ends; chrome wheel covers; tail pipe extension; tilt-type non-glare mirror; electric clock; tenite steering wheel and electric windshield wipers.)	
Accessory Group No. 9A (DeLuxe 2-door Sedans, 2-door Travelers and Coupes).....	111.60
(Includes group No. 9 without a rear seat cigarette lighter.)	
Accessory Group No. 10 (Henry J and Henry J DeLuxe).....	149.94
(Includes front vent windows; rear deck lid; Stockholm cloth or pleated Dragon Vinyl trim, right hand sun visor, 2 arm rests; door trim mouldings.)	
Accessory group No. 17 (Henry J and Henry J DeLuxe).....	65.93
(Includes front vent windows; rear deck lid; vacuum booster fuel pumps.)	
Accessory group No. 18 (Henry J and Henry J DeLuxe).....	198.80
(Includes front vent windows, cigarette lighter; full stainless steel hub cap discs; chrome horn ring; 2 front and 2 rear bumper guards; second horn; 2 ash receivers in rear compartment; rear deck lid; Stockholm cloth or pleated Dragon Vinyl trim; right hand sun visor; 2 arm rests; door trim mouldings; vacuum booster fuel pump.)	
Accessory group No. 19 (Henry J and Henry J DeLuxe).....	198.80
(Includes accessory group No. 18 with stationary rear seat.)	
Accessory group No. 20 (Henry J and Henry J DeLuxe).....	59.56
(Includes front vent windows and rear deck lid.)	
Accessory group No. 21 (Henry J and Henry J DeLuxe).....	192.42
(Includes accessory group 18 without vacuum booster fuel pump.)	
Accessory group No. 22 (Henry J and Henry J DeLuxe).....	192.42
(Includes accessory group 21 with stationary rear seat.)	
Accessory group No. 24 (Henry J and Henry J DeLuxe).....	108.41
(Includes accessory group No. 8 and accessory group No. 17.)	
Accessory group No. 25 (Henry J and Henry J DeLuxe).....	108.41
(Includes accessory group No. 24 with stationary rear seat.)	
Chrome horn ring (Kaiser Special).....	2.65
Front window vents (Henry J and Henry J DeLuxe).....	21.27
Continental spare wheel assembly (Henry J and Henry J DeLuxe).....	87.54
Continental spare wheel assembly (Kaiser Special and Kaiser DeLuxe).....	136.99
Hydraulic transmission (Kaiser Special and Kaiser DeLuxe).....	150.00
Overdrive (all lines and series except Henry J and Henry J DeLuxe).....	91.00
Overdrive transmission (Henry J and Henry J DeLuxe).....	96.77
Paint, two tone (Kaiser Special and Kaiser DeLuxe).....	34.25
Paint, two tone (Henry J and Henry J DeLuxe).....	36.43
Removable center arm rest, front and rear (Kaiser Special and Kaiser DeLuxe).....	30.00

Rub rail moulding (Kaiser Special).....	\$17.50
Tires, 5.90 x 15, set of 5, 4 ply, white wall (Henry J and Henry J DeLuxe).....	18.61
Tires, 6.70 x 15, set of 5, 4 ply, white wall (Kaiser Special and Kaiser DeLuxe).....	20.25
Tires, 6.70 x 15, set of 4, 4 ply, white wall (Kaiser Special and Kaiser DeLuxe).....	16.20
Tires, 7.10 x 15, set of 5, 4 ply, white wall (Frazer and Frazer Manhattan).....	20.00
Upholstery, vinyl trim, plain (Henry J and Henry J DeLuxe).....	27.64
Upholstery, leather trim (Kaiser Special and Kaiser DeLuxe).....	195.00
Upholstery, dinosaur vinyl (Kaiser DeLuxe).....	125.00
Upholstery, vinyl sport topping (Kaiser DeLuxe).....	87.00
Upholstery, leather and vinyl trim (Frazer Vagabond).....	155.00
3. The charges for extra, special or optional equipment which wholesale and retail sellers will use in determining the ceiling price of automobiles manufactured by the Kaiser Frazer Corporation are as follows, if the customer takes delivery of the automobile at the Kaiser Frazer factory.	
Air circulator package (Kaiser Special and Kaiser DeLuxe).....	\$13.25
Air conditioner and defroster (Kaiser Special and Kaiser DeLuxe).....	63.00
Air dust, right and left, each (Henry J and Henry J DeLuxe).....	9.50
Back up lights (Henry J and Henry J DeLuxe).....	15.00
Back up lights (Kaiser Special and Kaiser DeLuxe).....	15.00
Bumper guards, 2 front and 2 rear (Henry J).....	10.50
Chrome wheel discs, set of 5 (Kaiser Special).....	15.75
Cigarette lighter (Henry J).....	4.00
Courtesy lights (Henry J and Henry J DeLuxe).....	4.50
Directional signals (Henry J and Henry J DeLuxe).....	22.50
Extra horn (Henry J).....	7.50
Extra sun visor (Henry J and Henry J DeLuxe).....	2.50
Fog lights, pair (Henry J and Henry J DeLuxe).....	18.00
Fog lights, pair (Kaiser Special and Kaiser DeLuxe).....	18.00
Gas tank cover lock (Kaiser Special and Kaiser DeLuxe).....	2.25
Heater and defroster, fresh air type (Henry J and Henry J DeLuxe).....	51.50
Heater and defroster, recirculating type (Henry J and Henry J DeLuxe).....	40.00
Oil filter (Henry J and Henry J DeLuxe).....	13.50
Package tray cover (Kaiser Special and Kaiser DeLuxe).....	2.75
Radio and manual antenna, 6-tube (Henry J and Henry J DeLuxe).....	72.00
Radio and manual antenna, 8-tube (Kaiser Special and Kaiser DeLuxe).....	83.50
Radio and vacuum antenna, 8-tube (Kaiser Special and Kaiser DeLuxe).....	91.00
Rear view mirror, outside (Henry J and Henry J DeLuxe).....	3.95
Rear view mirror, outside, DeLuxe (Henry J and Henry J DeLuxe).....	5.45
Rear view mirror, outside (Kaiser Special and Kaiser DeLuxe).....	3.95
Rear view mirror, outside, DeLuxe (Kaiser Special and Kaiser DeLuxe).....	5.45
Rear door safety locks, pair (Kaiser Special and Kaiser DeLuxe).....	5.00
Rear window wiper (Kaiser Special and Kaiser DeLuxe).....	17.25

Seat covers, matting, for folding rear seat (Henry J and Henry J DeLuxe).....	\$25.50
Seat covers, matting, for stationary rear seat (Henry J and Henry J DeLuxe).....	31.25
Seat covers, plastic, Toreador pattern, for folding rear seat (Henry J and Henry J DeLuxe).....	43.00
Seat covers, plastic, Toreador pattern, for stationary rear seat (Henry J and Henry J DeLuxe).....	45.00
Seat covers, matting (all Kaiser 4-door Sedans).....	31.00
Seat covers, matting (all Kaiser 2-door Sedans and Club Coupes).....	32.00
Seat covers, matting (all Kaiser Business Coupes).....	19.25
Seat covers, cloth (all Kaiser 4-door Sedans).....	45.00
Seat covers, cloth (all Kaiser 2-door Sedans and Club Coupes).....	46.00
Seat covers, cloth (all Kaiser Business Coupes).....	26.00
Seat covers, plastic (all Kaiser 4-door Sedans).....	45.50
Seat covers, plastic (all Kaiser 2-door Sedans and Club Coupes).....	48.50
Seat covers, plastic (all Kaiser Business Coupes).....	28.50
Seat covers, plastic, Toreador pattern (all Kaisers except Business Coupes).....	54.75
Spot light, right or left (Henry J and Henry J DeLuxe).....	21.00
Spot light, right or left (Kaiser Special and Kaiser DeLuxe).....	21.00
Tail pipe extension (Henry J and Henry J DeLuxe).....	2.00
Tail pipe extension (Kaiser Special).....	2.00
Trunk light (Kaiser Special and Kaiser DeLuxe).....	3.00
Undercoating (Henry J and Henry J DeLuxe).....	25.00
Undercoating (Kaiser Special and Kaiser DeLuxe).....	25.00
Underhood light (Henry J and Henry J DeLuxe).....	2.85
Underhood light (Kaiser Special and Kaiser DeLuxe).....	2.85
Vacuum booster fuel pump (Henry J).....	18.50
Vacuum booster fuel pump (Henry J DeLuxe).....	19.00
Vanity mirror (Henry J and Henry J DeLuxe).....	1.75
Vanity mirror (Kaiser Special and Kaiser DeLuxe).....	1.75
Vent shades, set of 4 (Kaiser Special and Kaiser DeLuxe).....	16.50
Vent wings, plastic, pair (Kaiser Special and Kaiser DeLuxe).....	.85
Vent wings, plastic pair (Henry J and Henry J DeLuxe).....	.85
Wheel trim rings, set of 5 (Henry J).....	11.50
Windshield visor, painted (Henry J and Henry J DeLuxe).....	24.50
Windshield visor, painted (Kaiser Special and Kaiser DeLuxe).....	24.50
Windshield washer (Henry J and Henry J DeLuxe).....	11.00
Windshield washer (Kaiser Special and Kaiser DeLuxe).....	11.00

4. The prices and charges established by this Special Order do not include any provision for Federal Tax. Sellers covered by this order will apply such charges to the prices and charges in accordance with section 2 of Ceiling Price Regulation 83.

5. All provisions of Ceiling Price Regulation 83 not inconsistent with this order, including the posting, invoicing, and record-keeping requirements of that regulation, remain in effect as to sales covered by this order.

6. This Special Order or any provision thereof may be revoked, suspended or amended by the Director of Price Stabilization at any time.

Effective date. This Special Order shall become effective December 4, 1951.

EDWARD F. PHELPS, JR.
Acting Director of Price Stabilization.

DECEMBER 4, 1951.

[F. R. Doc. 51-14525; Filed, Dec. 4, 1951;
11:50 a. m.]

[Delegation of Authority 37]

DIRECTORS OF REGIONAL OFFICES

DELEGATION OF AUTHORITY TO PROCESS REPORTS OF PROPOSED CEILING PRICES FOR SALES OF FARM EQUIPMENT PURSUANT TO SECTION 5 OF CPR 100

By virtue of the authority vested in me as Director of Price Stabilization and pursuant to the Defense Production Act of 1950, as amended, and Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Delegation of Authority is hereby issued.

Authority is hereby delegated to the Directors of the Regional Offices of the Office of Price Stabilization to approve, pursuant to section 5 of CPR 100, a ceiling price for sales of farm equipment proposed by a seller under CPR 100, disapprove such a proposed ceiling price, establish a different ceiling price by order, or request further information concerning such a ceiling price. The authority herein delegated may be redelegated to the Directors of the District Offices of Price Stabilization.

This Delegation of Authority 37 is to take effect on December 10, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 4, 1951.

[F. R. Doc. 51-14529; Filed, Dec. 4, 1951;
4:00 p. m.]

[Delegation of Authority 38]

DIRECTORS OF REGIONAL OFFICES

DELEGATION OF AUTHORITY TO ACT UNDER CPR 101

By virtue of the authority vested in me as Director of Price Stabilization pursuant to the Defense Production Act of 1950, as amended (64 Stat. 812), and Executive Order 10161 (15 F. R. 6105) by Economic Stabilization Agency General Order No. 2 (16 F. R. 738) this Delegation of Authority 38 is hereby issued.

1. Authority is hereby delegated to the Directors of the Regional Offices, Office of Price Stabilization to act under sections 7, 21 (a), 21 (b), 42 (a), 42 (b), 46 (c), and 49 (a) of CPR 101.

2. The authority hereby delegated may be redelegated to the Directors of District Offices, Office of Price Stabilization.

No. 235—8

This delegation of authority shall take effect on December 12, 1951.

MICHAEL V. DISALLE,
Director of Price Stabilization.

DECEMBER 4, 1951.

[F. R. Doc. 51-14530; Filed, Dec. 4, 1951;
4:00 p. m.]

OFFICE OF DEFENSE
MOBILIZATION

[CDHA No. 21]

FINDING AND DETERMINATION OF CRITICAL
DEFENSE HOUSING AREAS UNDER THE
DEFENSE HOUSING AND COMMUNITY
FACILITIES AND SERVICES ACT OF 1951

DECEMBER 4, 1951.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Public Law 139, 82d Cong., 1st Sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 1029 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Parris Island, South Carolina, Area. (The area consists of Beaufort County and that part of the Town of Yemassee in Hampton County, South Carolina.)

C. E. WILSON,
Director,
Office of Defense Mobilization.

[F. R. Doc. 51-14540; Filed, Dec. 4, 1951;
12:07 p. m.]

INTERSTATE COMMERCE
COMMISSION

[4th Sec. Application 26596]

SOFT COAL OR BITUMINOUS FINE COAL
FROM MINES IN ILLINOIS, INDIANA, AND
WESTERN KENTUCKY TO BLACK DOG,
MINN.

APPLICATION FOR RELIEF

NOVEMBER 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for carriers parties to schedules shown on attached sheet.

Commodities involved: Soft coal or bituminous fine coal, carloads.

From: Mines in Illinois, Indiana, and western Kentucky.

To: Black Dog, Minn.

Grounds for relief: Rail and market competition, circuitry, and grouping.

Schedules filed containing proposed rates:

	Tariff I. C. C. No.	Supp. No.
AT&SF Ry.	14324	51
B&O RR.	2992	16
	WL-10705	102
	WL-10709	144
C&E RR.	2	137
C&M Ry.	B-336	11
C&NW Ry.	11308	6
CB&O RR.	20351	5
CI&L Ry.	3798	10
CM&P&P RR.	B-7717	2
GM&O RR. (Alton Series)	151	64
	243	85
IC RR.	E-1802	144
M&STL Ry.	2	60
MoPac RR.	A-10201	16
NYC RR.	164	317
P RR.	2659	90
Wabash RR.	7649	4
C. A. Spaninger, Agent.	1224	8

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14407; Filed, Dec. 4, 1951;
8:47 a. m.]

[4th Sec. Application 26597]

CLAY FROM MACON, HUBER, AND REIDS, GA.,
TO HOUSTON, TEX.

APPLICATION FOR RELIEF

NOVEMBER 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3899.

Commodities involved: Clay, carloads.
From: Macon, Huber, and Reids, Ga.
To: Houston, Tex.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: F. C. Kratzmeir's tariff I. C. C. No. 3899, Supp. 72.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided

by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14403; Filed, Dec. 4, 1951;
8:48 a. m.]

[4th Sec. Application 26593]

**BENZOL FROM CERTAIN POINTS TO
FRONTIER, KANS.**

APPLICATION FOR RELIEF

NOVEMBER 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-3902 and Agent C. W. Boin's tariff I. C. C. No. A-850.

Commodities involved: Benzol (benzene), in carloads.

From: Specified points in official, southern, and western trunk-line territories, and Geneva, Ironton, and Provo, Utah.

To: Frontier, Kans.

Grounds for relief: Rail competition, circuitry, to maintain grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3902, Supp. 1; C. W. Boin's tariff I. C. C. No. A-850, Supp. 101.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14409; Filed, Dec. 4, 1951;
8:48 a. m.]

[4th Sec. Application 26599]

**GRAIN FROM CERTAIN MISSOURI RIVER
POINTS TO CHICAGO, ILL.**

APPLICATION FOR RELIEF

NOVEMBER 30, 1951.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: L. E. Kipp, Agent, for the Chicago, Burlington & Quincy Railroad Company and other carriers.

Commodities involved: Grain, grain products, seeds, and related articles, carloads.

From: Omaha and South Omaha, Nebr., and Council Bluffs, Iowa.

To: Chicago, Ill.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: L. E. Kipp's tariff I. C. C. No. A-3866, Supp. 17.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 51-14410; Filed, Dec. 4, 1951;
8:49 a. m.]

[S. O. 878, 2d Rev. Gen. Permit 1-F]

CARLOAD IMPORT FREIGHT

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act to disregard the provisions of Service Order No. 878 insofar as they apply to carload import freight moving first by water on the high seas to a port in the continental United States and thence by rail in a single car, or moving first by water on the high seas to a port in the continental United States, thence by an inland water carrier to another point in the continental United States, and thence by rail in a single car to destination when, in either case, such carload freight moves as a complete order from both the point it is first shipped by water and the point it is reshipped by rail, when such cars are loaded to at least 36,000 pounds or more.

The shipping instructions and way-bills shall show reference to this second revised general permit, and any consignor forwarding cars under this general permit shall furnish the permit agent with the dates forwarded, car numbers, initials, weights and destinations of the cars shipped under this general permit; such information to be furnished on the first day of each month.

This second revised general permit shall become effective at 12:01 a. m., December 1, 1951, and shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended or revoked.

A copy of this second revised general permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement, and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14411; Filed, Dec. 4, 1951;
8:49 a. m.]

[S. O. 878, Amtd. 1 to Rev. Gen. Permit 2-F]

BARRELS OR DRUMS

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That Revised General Permit No. 2-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This revised general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14412; Filed, Dec. 4, 1951;
8:49 a. m.]

[S. O. 878, Amdt. 1 to Corr. Gen. Permit 3-F]

MIXED COMMODITIES

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That Corrected General Permit No. 3-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This corrected general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14413; Filed, Dec. 4, 1951;
8:49 a. m.]

[S. O. 878, Amdt. 1 to Rev. Gen. Permit 4-F]

EXEMPTIONS OF CERTAIN LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That Revised General Permit No. 4-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This revised general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the gen-

eral public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14414; Filed, Dec. 4, 1951;
8:49 a. m.]

[S. O. 878, Amdt. 1 to Gen. Permit 5-F]

FISH

LOADING REQUIREMENTS

Pursuant to the authority vested in me in paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That General Permit No. 5-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14415; Filed, Dec. 4, 1951;
8:50 a. m.]

[S. O. 878, Amdt. 1 to Gen. Permit 6-F]

CARLOAD FREIGHT

LOADING REQUIREMENTS

Pursuant to the authority vested in me in Paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That General Permit No. 6-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14416; Filed, Dec. 4, 1951;
8:50 a. m.]

[S. O. 878, Amdt. 1 to Gen. Permit 7-F]

SYRUP

LOADING REQUIREMENTS

Pursuant to the authority vested in me in Paragraph (e) of Service Order No. 878 (16 F. R. 5768), good cause appearing therefor:

It is ordered, That General Permit No. 7-F is hereby amended by substituting the following paragraph for the third paragraph thereof:

This general permit shall expire at 11:59 p. m., May 31, 1952, unless otherwise modified, changed, suspended, or revoked.

It is further ordered, That this amendment shall become effective at 12:01 a. m., December 1, 1951; that a copy of this amendment and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this amendment be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 28th day of November 1951.

HOWARD S. KLINE,
Permit Agent.

[F. R. Doc. 51-14417; Filed, Dec. 4, 1951;
8:50 a. m.]

